

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

June 23, 2016

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, June 23, 2016 at 7:00 p.m.

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

Also Present: City Manager Gary La Venia, City Attorney Anita Geraci-Carver, City Treasurer Jeannine Racine Michaud, Police Chief Mike Fewless, Assistant Fire Chief Don Gilpin; Deputy Fire Chief Tim Yoder , Fire Department; Community Development Director Charlie Rector, Public Works Director Dale Bogle, Ms. Michelle Yoder, Parks and Recreation Director, 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., Chief Fewless gave the invocation and the fire department led in the Pledge of Allegiance to the Flag.

### **2. ROLL CALL**

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

### **3. PUBLIC COMMENTS**

Ms. Andrea Pewsey, Fruitland Park Café owner and City of Fruitland Park resident, questioned the operating hours, programs and usage of the Gardenia Park Swimming Pool; addressed the need for her and others to use same for tri-athlete training, and confirmed that she spoke with Ms. Yoder in this regard.

After discussion, Ms. Pewsey agreed with Mayor Bell's suggestion that she review with Ms. Yoder what may be accomplished and for Ms. Yoder to report back to the city commission.

Mr. Peter J. Hurrt, City of Fruitland Park resident, shared his experience with Ms. Marie Azzolino, Human Resources Director/Deputy City Clerk, to which Mr. La Venia indicated that he would convey the compliments to her.

### **4. LOCAL PLANNING AGENCY**

**By unanimous consent, the city commission recessed its meeting to the Local Planning Agency Meeting at 7:10 p.m. and reconvened at 7:16 p.m.**

### **5. CONSENT AGENDA**

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

- (a) **June 9, 2016 regular meeting minutes and**
- (b) **provision of Fruitland Park Library services interlocal agreement with Lake County.**

**6. REGULAR AGENDA**

(a) **FY 2015-16 Auditor's Report**

Mr. W. Chet Ross, Auditor, Shumacker, Johnston & Ross, P.A., anticipated that the complete audit report for year ending September 30, 2015 will available by week commencing June 27, 2016.

Mr. Ross referred to the 2016 budget capital projects of \$542,000 and noted little activity and expenditure except police vehicles and other equipment purchases. Due to the lack of funds and no collection being made on sewer plant impact fees (infrastructure project) and the city being short by \$77,000, Mr. Ross requested that the commission consider transferring all the State Revolving Fund (SRF) sewer fund loan for sewer loan payments of \$138,000 to the utility fund as it is not collecting much on sewer impact fees. He noted the city's eligibility in 2006 to utilize infrastructure funds on the payments when the sewer plant was built; however, in 2015, the funds were depleted, unrestricted utility funds were utilized, and no budget transfers were made since to amend same. Mr. Ross requested Mr. La Venia's permission for Ms. Michaud-Racine to propose budget amendments to utilize restricted funds in this regard.

Recognizing that the city has restricted cash and the negative cash balance in the utility fund, Mr. Ross identified the adjustments he made in the financial statements to reduce the reserve and recommended that in order to reflect a positive balance and before the end of the year, the city commission redeem the utility funds' certificates of deposits in the local banks and place them into the state board. He suggested that the city commission be vigilant with the figures over the next 24 months and indicated that he will return at a future meeting.

**QUASI-JUDICIAL HEARING**

(b) **First Reading - Ordinance 2016-012 - Small-Scale Comprehensive Plan Amendment - Applicant: Sam Kissinger**

At the mayor's request, Ms. Geraci-Carver read into the record the title of the proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM SINGLE FAMILY MEDIUM DENSITY TO COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 0.51 ± ACRES OF PROPERTY GENERALLY LOCATED

NORTH OF CR 466A (MILLER STREET) AND EAST OF POINSETTIA AVENUE; DIRECTING THE CITY CLERK TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rector relayed the LPA's recommendation of approval on the proposed project and indicated that staff has no objections.

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

**A motion was made by Commissioner Cheshire and seconded by Commissioner Lewis that the city commission approve the Local Planning Agency's recommendation of approval on proposed Ordinance 2016-012 as previously cited.**

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

**(c) First Reading - Ordinance 2016-013 - Rezoning - Applicant: Sam Kissinger**

At the mayor's request, Ms. Geraci-Carver read into the record the title of the proposed ordinance, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.51 ± ACRES OF THE PROPERTY FROM SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL (R-2) TO NEIGHBORHOOD COMMERCIAL (C-1) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

**END OF QUASI-JUDICIAL PUBLIC HEARING**

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

Mr. Rector relayed the LPA's recommendation of approval on the proposed project and indicated that staff has no objections.

After discussion and **on motion of Commissioner Cheshire, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the Local Planning Agency's recommendation of approval on proposed Ordinance 2016-013 as previously cited.**

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

**(d) April 2016 - FY 2015-16 Financial Report**

Ms. Racine Michaud reviewed the revenues and expenses for FY 2015-16.

**7. NEW BUSINESS**

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

**8. OFFICERS' REPORTS**

**(a) City Manager**

**i. Presentations**

Mr. La Venia announced that presentations regarding the Fruitland Park library construction's interior and exterior architectural design by Senatore Inc., retained by the city, and fire special assessment by will be placed on the next regular meeting agenda.

**ii. Proposed Soccer Field Site**

Mr. La Venia referred to a recent telephone call he received from District 5 Lake County Commissioner Welton Cadwell in response to his letter dated May 9, 2016 -- written on behalf of the city commission -- requesting the county's assistance in funding towards the construction of a soccer field in the city, a copy of which is filed with the supplemental papers to the minutes of this meeting.

Mr. La Venia conveyed Commissioner Cadwell's remarks at the June 21, 2016 regular county commission meeting on the county commission's acceptance to provide the city \$100,000 in reimbursable grant funding towards the construction of said soccer field and anticipated receiving more information which he will present for the city commission's consideration at a future meeting.

Mr. La Venia referred to the city commission's comments at its previous meeting on the need to conduct a survey on the soccer field site and the recent proposal for surveying and mapping services received from Bohanon & Associates Land Surveying LLC, in this regard, for \$7,500 to prepare drawings showing all work completed with digital copy and completing boundary, tree, and route surveys to include: road right-of-

way, pavement, trees, above and below grade improvements from the soccer field site to the underground utilities marked by another agent. (A copy of the proposal is filed with the supplemental papers to the minutes of this meeting.)

Mr. Rector relayed conversations he had earlier this day rectifying with Mr. Duane Booth, Booth, Ern, Straughan, & Hiott Inc. (engineers, surveyors and land planners retained by the city) an amount not to exceed \$7,500 for the services as previously described.

After discussion, and **on motion of Commissioner Ranize, seconded by Vice Mayor Gunter and unanimously carried, the city commission authorized staff to proceed with its recommendation as previously cited for Bohanon & Associates Land Surveying LLC to conduct a survey on the soccer field site for an amount not to exceed \$7,500.** (Said property located at the northwest intersection of Shiloh Road and Old Dixie Highway was purchased in 2006.)

**(b) City Attorney**

Ms. Geraci-Carver referred to a lawsuit filed by former Fire Chief George Fernandez on May 12, 2016; stated that the city has retained Ms. Stephanie J. McCulloch, McLin Burnsed Attorneys at Law, to represent the city, and indicated that a telephone conference has been scheduled with her for next week and she will confer with Mr. La Venia in this regard.

**9. COMMISSIONERS' COMMENTS**

**(a) Commissioner Ranize**

**i. SRF Sewer Fund**

Commissioner Ranize referred to the discussions held earlier this evening regarding the SRF sewer fund loan project. He indicated that if the funds are below the estimated amount where the state is allocating more grant funding for the lift station, he requested that the city commission allow Mr. La Venia and staff identify in advance how it anticipates such expenditures.

**ii. Fire Assessment**

Commissioner Ranize requested that the presenter on the special fire assessment meet with individual elected officials prior to appearing before the city commission at an open public meeting.

**iii. Storage – Public Works Department**

Commissioner Ranize referred to previous discussions on the storage of equipment; the initial concept on its temporary location at the rear of the public works department, and its relocation to the water wastewater treatment plant to store the Fruitland Park Library department equipment and Christmas lights. As the location of the storage behind the public

works department facility would be an eyesore, Commissioner Ranize recommended situating the storage at the water wastewater treatment plant to avoid additional expenses.

**iv. Utility Poles**

Commissioner Ranize noted the poor condition of the utility poles at Veterans Park and suggested that Mr. La Venia meet with Mr. Bogle to relocate same.

**v. Proposed Soccer Field Site**

Commissioner Ranize expressed pleasure in the progress of the soccer field site.

**vi. Charity Donation Drop Box Locations**

Commissioner Ranize questioned the origin of the charity donation drop boxes located around the area; believed that a request to situate one on the intersection of Catawba Street and US 441 right-of-way on Lake County property would be desirable, and suggested drafting an ordinance prohibiting same.

**vii. Code Enforcement**

In referring to prior conversations with Messrs. La Venia and Rector regarding code enforcement, Commissioner Ranize relayed that an individual is being interviewed – to which Mr. La Venia interjected that a person will be retained on July 5, 2016 –pointed out his concerns in this regard prior to and as a city commissioner, and expressed his preference for implementation.

**viii. Duck Crossing Signs**

With respect to the duck crossing signs, Commissioner Ranize recommended that Mayor Bell place in his backyard the signs without any cost borne by the city.

**ix. Fire Department Bathroom Improvements**

Later in the meeting, Commissioner Ranize referred to the current condition of the Fire Department's bathrooms and pointed out his conversations earlier with Ms. Geraci-Carver, Messrs. La Venia and Rector in that regard. He recalled former Fire Chief George Fernandez' request where \$10,000 was allocated towards the fire department's bathroom improvements which currently remains incomplete due to the funds being exhausted. Commissioner Ranize emphasized that staff begin the work by meeting with the contractor to complete the work (previously approved) and encouraged each city commissioner to visit the location.

**(b) Commissioner Cheshire - Duck Signs**

In concurring with Commissioner Ranize' statements regarding the Duck Crossing Signs, Commissioner Cheshire recalled the city commission's discussions at its May 26, 2016 regular meeting recognizing same as a good investment in attempting to make the city quaint and pointed out a recent Daily Sun newspaper article featuring same.

**(c) Commissioner Lewis**

**i. Veterans Park**

Commissioner Lewis complimented Messrs. La Venia and Bogle for initiating the installation of "no feeding" warning signs around the city's waterways as a result of the recent alligator incident that took place at Walt Disney World in Orlando. He advised staff to allow the police department to handle cautioning individuals on same.

**ii. MPO**

Commissioner Lewis referred to his attendance at the June 22, 2016 Lake~Sumter Metropolitan Planning Organization Governing Board meeting. He recognized the number of issues to address and the likelihood of the reimbursement to be less if the State of Florida Department of Transportation District Five accepts the workout plan.

**iii. Traffic Signals**

Commissioner Lewis explained the purpose of clearing the northeast corner of Rose Avenue and Miller Street in preparation of the traffic signals expected to be installed by July 2016.

**(d) Vice Mayor Gunter, Jr. - Special Fire Assessment**

In response to Vice Mayor Gunter's inquiry, Mr. La Venia confirmed that there is a scheduled date and time for a representative to meet with individual city commissions on the special fire assessment.

**10. MAYOR'S COMMENTS**

**(a) Duck Signs**

After Mayor Bell referred to discussions held at a previous meeting regarding the duck signs as well as the respective newspaper article, Commissioner Cheshire recalled that no action was taken on same.

**(b) Lake EMS Board Meeting**

Mayor Bell referred to his attendance at the June 21, 2016 Lake Emergency Medical Services (EMS) Board of Directors Workshop meeting; anticipated that studies are underway which would possibly change the future and makeup of EMS, and indicated that more information will be forthcoming in that regard.

(c) **Proposed Soccer Field Site**

As a result of a previous request, Mayor Bell voiced his personal thanks to County Cadwell for allocating \$100,000 towards the proposed soccer field site.

(d) **Dates to Remember**

Mayor Bell recognized the following dates: July 4, 2016 city offices will be closed in observance of Independence Day; July 11 and 12 Budget Workshop Meetings will be held, and on July 14, 2016, the regular city commission meeting will take place.

**11. ADJOURNMENT**

There being no further business to come before the city commission at this time, on motion made, second and unanimously carried, the meeting adjourned at 8:00 p.m.

The minutes were approved at the July 14, 2016 regular meeting.

Signed   
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Esther B. Coulson, City Clerk

Signed   
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Christopher Bell, Mayor