

**FRUITLAND PARK CITY COMMISSION REGULAR MEETING
MINUTES
May 28, 2015**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, May 28, 2015 at 7:00 p.m.

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

Also Present: City Manager Gary La Venia, City Attorney Anita Geraci-Carver, Finance Clerk Sue Parker, Lieutenant Dennis Cutter, Community Development Director Charlie Rector, Public Works Director Dale Bogle, Parks and Recreation Director Michelle Yoder, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bell called the meeting to order at 7:04 p.m.; Reverend Pastor Michael F. Fordham, Community United Methodist Church, gave the invocation and Lieutenant Cutter 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. PRESENTATION

(a) Special Recognition – City Attorney

On behalf of the city commission, Mayor Bell presented a plaque to former City Attorney Scott Gerken in appreciation of his many years of professional legal services and wished him the very best in his future endeavors. He recognized his integrity, guidance and memories to the city.

After Mr. Gerken extended his appreciation for the plaque; reflected that the home town Fruitland Park will be remembered as a fond place, and reminisced the year he began working for the city when his daughter was a baby and his son was not yet born, both of whom were present at this evening's meeting.

(b) Special Recognition - Grace Bible Baptist Church

On behalf of the city commission, Mayor Bell presented a certificate of appreciation to Pastor George A Mulford (the police and fire departments' chaplain) from Bible Baptist Church and its members, who recently donated seven sets of beds including brand new mattresses for the fire department's station sleeping quarters.

Pastor Mulford accepted the certificate with gratitude.

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(c) **Proclamation - Methodist Church**

On behalf of the city commission, Mayor Bell read into the record a proclamation designating June 14, 2015 as *Pastor Reverend Michael F. Fordham and Reverend Chris Jones Day* and asked the citizens to join in wishing them well in their transitions to their future callings in the ministry.

Reverend Fordham and Jones accepted the proclamation with gratitude. Reverend Fordham reminisced the time he moved to the area when his daughter started at Fruitland Park Elementary School and will be graduating on May 29, 2015, and noted the changes over the 12 years at the church and on CR 466 A.

(d) **City Employees**

- **Lieutenant Cutter - Lieutenant Beckie Sirolli, Plaque**

Mayor Bell recognized Lieutenant Cutter who presented Lieutenant Beckie Sirolli with a plaque from the police department recognizing her years of service from August 2010 to May 29, 2015; he highlighted her major accomplishments and skills in the department, and expressed appreciation to her during her tenure.

After Lieutenant Sirolli accepted the plaque with much gratitude, the city commission wished her well.

- **City Commission – City Treasurer Tannette Gayle, Certificate of Appreciation**

Due to City Treasurer Tannette Gayle's absence, the certificate of appreciation will be presented to her at a later date.

4. **PUBLIC COMMENTS**

After Mr. Peter Hurtt, City of Fruitland Park resident, referred to a previous city commission meeting and questioned the commission's discussions regarding a gazebo, he suggested whether during the summer months the parks and recreation department could consider hosting events such as a band volunteering to provide special programs.

Mr. Hurtt commended the city commission for their work in reviewing the issues before them and making decision on behalf of the city.

5. **CONSENT AGENDA**

Approval of Minutes

The May 14, 2015 regular meeting minutes were not available at this time.

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6. REGULAR AGENDA

FY 2014/15 Mid-Year Budget Review

Ms. Parker relayed Ms. Gayle's report that all the departments, with the exception of legal, are within their budget and that new funds from other line items will be able to bring it back into balance.

On motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission approved the city treasurer's recommendations on the Fiscal Year 2014/15 mid-year budget review.

7. NEW BUSINESS

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

8. OFFICERS' REPORTS

(a) City Manager

i. Water and Wastewater Treatment Plant Agreement

Mr. La Venia pointed out a meeting he and Mr. Rector attended had with Town of Lady Lake Manager Ms. Kris Kollgaard regarding the Water and Wastewater Treatment Plan Agreement between the town and the city. He believed that existing language has been clarified and worked out suitable to both participants and addressed the plan to present same for city commission consideration at the next meeting.

ii. Fruitland Park Library Building Construction

Mr. La Venia referred to the resubmittal of the grant application earlier this day with recommended changes to pursue a new Fruitland Park Library; recognized the continuing discussions on same, and stated that there have been no further movements from Tallahassee on the low interest loan anticipated by the end of June 2015.

iii. Casino Community Center

Mr. La Venia relayed the discussions he had with Pastor Kenneth Wells, First United Pentecostal Church, who conveyed the church board's remarks thanking the city commission for the offer relating to the donation of the Casino Community center and that at this point in time and given the church's circumstances, it would not be a possibility.

Mr. La Venia addressed the plan for Mr. Rector and himself to continue to pursue another site for the Casino Community center relocation and noted Veterans Park as an available option.

iv. City Treasurer's Position

Mr. La Venia explained that the city commission members each has a copy of résumés for the city treasurer's position; requested that they

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review same, and let him know how to proceed with scheduling interviews or if unsatisfied to accept extending the times.

After extensive discussion, the city commission agreed to re-advertise the city treasurer's position at the Florida League of Cities' website, the Government Finance Officers' Association website, and local newspapers prior to the next meeting where a determination on the applications received would be made at that time.

(b) City Attorney

i. Water Connection and Sewer and Grease Traps Discharge Regulation Ordinances

Ms. Geraci-Carver addressed her intent to present the draft water connection and sewer and grease traps discharge regulation ordinances for consideration as first reading on the next agenda.

ii. MSTU Ordinance

Ms. Geraci-Carver referred to a letter dated May 21, 2015 from Lake County Attorney's Office regarding the renewal of the countywide Municipal Service Taxing Unit (MSTU) and recognized the city's previous agreement to a period of one year which will expire in July 2015. (A copy of the letter is filed with the supplemental papers to the minutes of this meeting.)

After the city commission agreed, in response to Ms. Geraci-Carver's inquiry, to the three-year period to remain as part of the MSTU, she addressed her intent to draft an ordinance for consideration at the next meeting.

iii. Police Service and Fire Service Fees Lawsuit

Ms. Geraci-Carver addressed the need to replace the law firm of Nabors Giblin & Nickerson, (attorneys retained previously by the city) to finalize the lawsuit regarding Richardson v. City of Fruitland Park Case No. 2013 CA 400). She referred to an email received on May 11, 2015 regarding what is left to be carried out and requested the city commission's authorization for Mr. La Venia and her to sign said firm's consented motion to withdraw.

On motion of Commissioner Gunter, seconded by Vice Mayor Cheshire and unanimously carried, the city commission approved the city attorney's request for the city manager and city attorney to execute the Consented Motion for Nabors Giblin & Nickerson to withdraw from representing the City of Fruitland Park in the lawsuit Richardson v. City of Fruitland Park Case No. 2013 CA 400.

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9. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize

i. Library Construction Drawings

Commissioner Ranize requested that the city commission direct staff to identify a funding source allocated towards a conceptual plan showing the layout of the proposed Fruitland Park library property and a preliminary footprint for the police and fire departments' proposed building and provide a display sign reflecting the city's five-year plan or vision for the vicinity of Berckman Street for public inspection.

After discussion, Messrs. La Venia and Rector concurred with the previously cited request.

ii. Ordinance 2014-015 Water Services Disconnection Fee

Commissioner Ranize referred to his discussions with Messrs. La Venia and Rector making comparisons of proposed Ordinance 2014-015 which passed the May 8, 2014 first reading and enacted on May 22, 2014 at the second reading. He pointed out the minutes reflecting the proceedings of the respective issue and cited the stricken and underscored language under Section 50.30(F), regarding the termination of water services which is what is abided by this day. (Copies of the related documents were distributed for the record and filed with the supplemental papers to the minutes of this meeting.)

Commissioner Ranize referred to a constituent's concern relayed to him regarding the disconnection on one of their two water meters and the resident's indication that the payment for the water bill for the other meter was in her possession resulting in that meter not being disconnected. He relayed the individual's concern made at city hall that day that the payment of \$100 would be required whereby one disconnection was made and stated that the issue is not reflected in the ordinance.

After much discussion and **by unanimous consent, the city commission directed the city clerk to provide a verbatim transcript of the May 22, 2014 second reading on enacted Water Services Disconnection Fee Ordinance 2014-015 and that the language under Section 50.30(F) be researched and clarified at a future meeting.**

(b) Commissioner Lewis – Fire Special Assessments

Commissioner Lewis referred to the fire special assessments power-point presentation given at the May 14, 2015 regular meeting and clarified that the fee charged to every resident would be on an equal formula basis to determine the fire services.

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(c) **Vice Mayor Cheshire - Code Enforcement**

Vice Mayor Cheshire believed that Mr. Rector is performing satisfactorily without the involvement of the city's special magistrate to which Mr. Rector addressed his regular collaboration with Lieutenant Cutter; identified the status of code enforcement issues, and reported that staff is currently working on same.

Vice Mayor Cheshire addressed the need to modify and make improvements on a number of issues.

(d) **Commissioner Gunter, Jr. – Berckman Street**

In response to Commissioner Gunter's inquiry, Messrs. Bogle and Rector described the work conducted on and the plans to repave the Berckman Street roadway.

With respect to Pine Ridge Dairy Road, Mr. Bogle described the procedures to be undertaken.

11. MAYOR'S COMMENTS

(a) **Dates to Remember**

Mayor Bell announced the dates of the next regular meetings to be at 7:00 p.m. on June 11 and 25, 2015 respectively.

(b) **Legislature**

Mayor Bell anticipated that the state legislature is back in special session and referred to the follow-up letter sent on May 4, 2015 seeking their assistance regarding the city's current projects; a copy of which is filed with the supplemental papers to the minutes of this meeting.

(c) **Fire Special Assessment**

Mayor Bell recognized the fire special assessment as an equal amount regardless of the homes' values where payment would be the same of which he has a concern.

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 9:16 p.m.

The minutes were approved at the regular June 11, 2015 regular meeting.

Signed 
Esther B. Coulson, City Clerk

Signed 
Christopher Bell, Mayor