

**FRUITLAND PARK CITY COMMISSION REGULAR MEETING  
MINUTES  
January 22, 2015**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 22, 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 Scott Gerken, City Treasurer Tannette Gayle, Police Chief Terry Isaacs; Fire Department Tim Yoder; Community Development Director Charlie Rector; Parks and Recreation Director Michelle Yoder; Fruitland Park Library Director Jo-Ann Glendinning; Public Works Director Dale Bogle, and City Clerk Esther B. Coulson.

**1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Bell called the meeting to order at 7:03 p.m.; Pastor Barry Hayes, Freedom Community Church, gave the invocation, and Police Chief Terry Isaacs led in the Pledge of Allegiance to the Flag.

**2. ROLL CALL**

Mayor Bell requested that Ms. Coulson call the roll and a quorum was declared present.

**3. QUESTIONS AND ANSWERS - CR 466A and CR 468 - Delegation**

Jessica Crawford, District 11 State Senator Alan Hays Legislative Aide

Later in the meeting, Ms. Crawford explained that Senator is still in Tallahassee and could not be present at this evening's meeting.

Ms. Crawford explained that Senator Hays has recently been appointed to serve on the Environmental Preservation and Conservation Committee where legislation is being prepared for Amendment One, Florida Water and Land Conservation Initiative Policy, which recently passed and noted the water resources and land conservation issues. She mentioned his awareness of the CR 466A and CR 468 roadway improvement projects and explained that deadlines on eight bills filed are being drafted on January 23, 2015.

With respect to amendment one, District 5 Lake County Commissioner Welton Cadwell enlisted the city commission's support pertaining to enabling legislation on how the funds are being expended for water quality in Lake County.

District 5 Lake County Commissioner Welton Cadwell and Lake County Public Works Director Jim Stivender, Jr.

Commissioner Cadwell pointed out his previous appearance before the city commission regarding the Northwest Lake Community Park property; reported that it is on the

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county's master plan, and indicated that by the end of the budget year, the county anticipates entering into a partnership with the city to ensure that said property is viable to all.

With respect to the Interlocal Services Boundary Agreement, Commissioner Cadwell recognized the current issues to work through and the attempts to unify the fire service as the closest unit ensuring that in working together it would be beneficial to everyone.

Commissioner Cadwell indicated Mr. Stivender will be addressing the CR 466A and CR 468 roadway improvement projects; recognized that the respective funding is on the top of the county's legislative priority list which is before the legislative delegation, and mentioned his plan to meet with the new State of Florida Department of Transportation Secretary (FDOT), Mr. Jim Boxold, on the morning of January 23, 2015 to ensure that he is aware of the urgent need in funding the project which is important to the city.

Commissioner Cadwell reiterated his presence at this evening's meeting to answer any questions.

Mr. Stivender gave a power-point presentation on the background and current status of the CR 466A roadway improvement project and described the current status and cost of same as it relates to phase 1, the partial funding of phase 2, and the unfunded phase 3 for \$9.5 million. (A copy of the presentation is filed with the supplemental papers to the minutes of this meeting.)

Mr. Stivender explained that he and Commissioner Cadwell plan to be in Tallahassee during the middle of February 2015; anticipate talking to District 33 State Representative H. Marlene O'Toole, and expect to meet with Mr. Boxold on the subject project. Mr. Stivender identified the challenges regarding the renewal of sales tax and the funding source to match impact fees.

After further deliberations, Commissioner Cadwell stated that the county would work with the city on the roadway improvements and address the concerns to fund the subject projects in phases 2 and 3 in Tallahassee.

Following some discussion, Mr. Stivender indicated that Mr. Fred Schneider, Lake County Engineering Director/PE, will provide more details on the plan as it relates to scheduled turn lanes into Fruitland Park Elementary School.

The commission discussed with Mr. Stivender the lack of funds; the request to relocate the underutilized traffic signal when CR 468 is constructed at Urick Street and South Dixie Avenue to the intersection of CR 466A (the vicinity of Rose Avenue and Miller Boulevard), and the previous request for a traffic signal from South Dixie Avenue (Spring Lake Road) to the intersection of CR 27/441.



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If a traffic signal is warranted for a roadway, Mr. Stivender suggested that a letter from Mayor Bell be submitted to the county or FDOT for the process to start.

The following City of Fruitland Park residents appeared before the city commission posing questions relating to traffic and pedestrian safety, relief to ease continuing traffic problems in the subject affected area, and the anticipated completion date of the proposed project's construction.

Messrs. Jeff Marco who is also a business owner; Josh Schmidt, Ben Haskew, Mses. Dedre Fairler, Linda O'Wiley, and Melissa Ben-Howskay.

Chief Isaacs described the traffic impacts relating to the safe schools walking school bus initiative; noted the reduction of school buses, and requested that the matter be considered in Tallahassee.

#### **4. FRUITLAND PARK HISTORICAL SOCIETY**

Ms. Glendinning indicated that as the result of attempts made over the years to announce the city's history, the Fruitland Park Historical Society's first meeting was held on November 6, 2014. She identified four descendants and longtime residents who were in attendance as well as Vice Mayor Bob Grenier, City of Tavares (a local historian, author, Lake County Historical Museum Curator, and past president of the Lake County and Tavares Historical Societies), and mentioned his interest in writing a book about the City of Fruitland Park's rare history. Ms. Glendinning indicated that he is in favor of having the painting, drawings, art recently made by Mr. Virgil Bell, and a book to be published for Fruitland Park be included at the library and anticipated them meeting together.

Ms. Glendinning gave the following report of the January 9, 2015 meeting with 16 people in attendance on the:

- appointment of the society's officers;
- establishment of membership fees;
- the society's incorporation with the State of Florida, and
- future meetings to be held on the first Thursday monthly at 9:00 a.m. at the Fruitland Park Library until another venue can be located.

Ms. Glendinning explained that the society is currently working on a mission statement and bylaws. She addressed the plan to setup a table at the forthcoming Fruitland Park Founders' Day with brochures recognizing the society's intent to erect a plaque commemorating the Casino Community building's 100<sup>th</sup> year and the Fruitland Park Library's 100<sup>th</sup> year birthday in 2016. Ms. Glendinning stated that the society is looking for storage space until a museum is established.

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### **5. PUBLIC COMMENTS**

Mr. Jeff Marko, City of Fruitland Park business owner, expressed his gratitude to Chief Isaacs and the police department that there were no reported incidents during five years he has been in business.

After discussion, and in response to Mr. Marko's inquiry and according to the Global Positioning System, Mr. Rector confirmed that his business address is Miller Street.

Mr. J. Michael "Mike" Sweeney, Lake County Library Board alternate member, questioned the delay on the Fruitland Park Library's construction.

In answering, Mr. Rector reported on the procedures involved and the requirements needed when soliciting requests for qualifications for the library expansion project.

In response to Ms. Glendinning's comments, Mr. Rector requested a copy of the grant documents (interlocal agreements with Lake County) to expedite the design process when an architecture is selected.

### **6. CONSENT AGENDA**

#### **Approval of Minutes**

The city commission considered its action on the January 8, 2015 and December 11, 2014 regular meeting minutes.

Upon Commissioner Ranize's request and **on motion of Commissioner Ranize, seconded by Commissioner Lewis and unanimously carried, the city commission withdrew from the consent agenda the approval of the December 11, 2014 minutes at this evening's meeting.**

**On motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission approved the January 8, 2015 minutes as submitted.**

After extensive discussions reference was made to Commissioner Ranize' January 4, 2015 email regarding Mr. La Venia's weekly activity report regarding Walmart Stores Inc.; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Following further discussion and **on motion of Commissioner Gunter, seconded by Vice Mayor Cheshire and unanimously carried, the city commission approved the December 11, 2014 regular minutes and directed the city clerk to include with said minutes a verbatim transcript of the Officers' Reports, Item 8.(a)i. Voluntary Compensation and Operational Assistance Mutual Aid Agreement.**



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### **7. REGULAR AGENDA**

#### **(a) Casino Community Building – Agreement**

Consideration of previous city commission approval on the use of the Casino Community Building.

**By unanimous consent, the city commission withdrew the Casino Community Building Agreement from consideration at this evening's meeting at the city attorney's request.**

#### **(b) Discussion – February 2015 Workshop Review**

The city commission discussed the list of items to be reviewed for the initial 2015 Workshop.

Mr. La Venia addressed the plan to meet with the Town of Lady Lake staff during the week commencing January 26, 2015 and Ms. Kris Kollgaard, Town of Lady Lake Manager, during the week beginning February 2, 2015.

After discussion, Mayor Bell suggested that the city's auditor Mr. W. Chet Ross, Shumacker, Johnston & Ross, P.A., be invited to the city commission meeting to address funding issues before the workshop takes place.

Mr. La Venia explained that staff will report back on the wastewater treatment plant at a future meeting and identified the Community Development Block Grant (CDBG) as the only grant available.

Mr. La Venia noted that Lake County Days in Tallahassee will be on February 17 and 18, 2015; recalled his previous meeting with Representative Hays, and relayed his commitment to a request for the legislative grant submitted on December 28, 2014 for \$1.3 million as well as letters of support from the town and Representative O'Toole's office. Mr. La Venia conveyed his discussions with the grant writer Mr. Fred Fox, Fred Fox Enterprises Inc., who suggested pursuing the legislative grant to implement the project.

Mayor anticipated his meeting with Representative Hays at Lake County Days where he will bring the subject matter to his attention.

By the February 26, 2015 regular commission meeting and after Mr. Ross' presentation, Mr. La Venia believed that staff would have a better idea in funding the project; described the options of utilizing the CDBG or State Revolving Funds, and believed that by mid-April 2015 (when the legislative session ends) grant funds would be available at that time.

**By unanimous consent, the city commission directed staff to proceed working on the subject issue and present the agreement for consideration at the February 26, 2015 regular meeting.**

After much discussion and by unanimous consent, the city commission approved holding the workshop dates on Tuesday, March 17, 2015 at 6:00 p.m. (to consider the police fire, public works infrastructure, water and wastewater) and Thursday, March 19, 2015 at 6:00 p.m. (to consider public recreation, library and administration).

**(c) Year-to-Date Budget Report**

Year-to-date budget report for October, November and December 2014 was reviewed by Ms. Gayle recognizing that the revenues and funds are satisfactory. She submitted her January 20, 2015 memorandum for the record, a copy of which is filed with the supplemental papers to the minutes of this meeting.

After Ms. Gayle indicated that she is waiting for Mr. Ross' submittal of the final report for Fiscal Year 2013/2014, Mayor Bell agreed to invite Mr. Ross to the February 26, 2015 regular meeting.

**7. NEW BUSINESS**

**Davenport Property Ownership**

After Mr. Rector reported that the city is currently the owner of the Davenport property, Mayor Bell suggested, in response to his remarks on whether the city ought to submit proposals on the fencing and that same be part of the March 17, 2015 workshop discussions.

**8. OFFICERS' REPORTS**

**(a) City Manager**

**(i) ADA – City Hall and FP Library Entrance Doors**

Mr. La Venia explained that he is currently working with Mr. Bogle on the installation of the city's main entrance doors (to be in compliance with the Americans with Disabilities Act). He referred to the quote for approximately \$17,000 to replace same; indicated that staff is reviewing other options, and addressed the intent to provide more information to the city commission. (A copy of the proposal is filed with the supplemental papers to the minutes of this meeting.)

**(ii) Advisory Board Update**

Mr. La Venia referred to an advisory board meeting held earlier this day by Mr. Al Cardiello, Best Infinity Fitness and Spa Inc. Owner, who addressed his plan to devise a Fruitland Park Business Association with a possibility of creating a Fruitland Park Chamber of Commerce working in conjunction with other organizations in the city to help move the city forward.

Mr. La Venia recognized the presence of some of the city commissioners and staff and acknowledged the presentation made by Mr. Rector,



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Ms. Yoder, and Pastor Sidney “Sid” Brock, Heritage Community Church. Mr. La Venia explained that the meeting was productive and well received and addressed the attempts to meet on a quarterly basis with the expectancy that more business owners will be present.

**(iii) CDBG - Citizens Advisory Committee Task Force**

Mr. La Venia referred to his meeting with Mr. Fox on January 15, 2015 to discuss the CDBG and application procedure and conveyed his comments that it would not be ideal for the city to apply during this fiscal year. He described the procedures for the city to be eligible for the point-generated grant award and relayed Mr. Fox’s recommendation to make an application on an identified designed project in the area ready for the 2017 five-year grant cycle. He addressed the criteria to establish a CDBG Committee and apply for the grant and relayed Mr. Fox’s intent to conduct a survey on a neighborhood, selected by the city, ensuring that individuals meet the income standards to receive funding.

**(iv) Records Management**

Mr. La Venia relayed discussions from the city’s information technology spokesperson, MMD Computer Center Inc., that they are not in the position to install MCCi’s Laserfiche™ system in the city for records management and noted the additional issues which would potentially affect the users.

Mr. La Venia explained the need to upgrade the city’s computer servers and anticipated that Ms. Coulson would be communicating with MCCi as to whether cloud computing would be a viable option.

**(v) Telephone System**

Mr. La Venia explained that he is reviewing a new telephone system for the entire city; referred to quotes received from Xfinity™, and anticipated receiving additional figures as he would like to proceed with the Voice over IP (VoIP) technology.

**(vi) IT Contract**

Mr. La Venia referred to the new agreement with updated rates and hourly billing from MMD Computer Center Inc. for information technology, a copy of which is filed with the supplemental papers to the minutes of this meeting.

After discussion and upon Mayor Bell’s suggestion, **the city commission, by unanimous consent, directed the city manager to review options and seek invitations to bid services for information technology.**

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**(vii) Landscaping Improvements – Joint Participation Agreements - US Highway 27/CR 441 Medians, North and South of Berckman Street**

Mr. La Venia explained that the city's engineers, Booth Ern Straughan & Hoitt Inc., are working on the figures pertaining to the US Highway 27/CR 441 Medians landscaping improvements.

Later in the meeting, Commissioner Gunter commended Mr. La Venia for a job well done on how he made the presentation, earlier this day at the advisory board meeting, regarding the landscaping improvements.

After discussion, Mayor Bell suggested reviewing the type of sponsor program that the City of Umatilla has.

**(viii) Resignation**

Mr. La Venia referred to the resignation received from Fire Department Chief Steve Whittaker who indicated that he would provide assistance during the transition process. Mr. La Venia explained that he will report back to the city commission after he has met with Chiefs Whittaker and Isaacs regarding the consideration of the next fire chief.

**(ix) Leadership Lake**

Mr. La Venia reported on his attendance at Leadership Lake where the focus was on human services and the work undertaken for the elderly, children's services, food banks, and bus services.

**(b) City Attorney**

**(a) Code Enforcement**

Mr. Gerken referred to staff's recent discussions on code enforcement issues addressed at the last commission meeting. He noted the philosophy that remains "friendly city" whereby voluntary compliance still applies.

Recognizing the special master procedure in place, Mr. Gerken pointed out the abatement process whereby the violator would be billed for the services performed by the company retained by the city. He noted the city's special magistrate and the code enforcement complaint process under Florida Statutes Chapter 162 and expressed preference for same to be dealt with on a proactive level, which would be referred to Mr. Rector.

After discussion, it was noted that the subject issue would be part of the workshop session.

**(b) Prayers**

Mr. Gerken referred to previous newspaper articles regarding the Supreme Court's Ruling in 2014 Upholding Religious Prayers in Local



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Government; recognized that the city has enjoyed prayers in the meeting and wants to continue, and gave examples like those before the city commission which are allowed and are in order.

Mr. Gerken recognized policies adopted by local governments whereby prayers would need to be inclusive and well represented including groups that are not faith-based which could be placed on the website. He later addressed the need to put safeguards in place and mentioned his plan to draft a resolution with a policy for the commission's consideration at a future meeting.

After discussion, Mr. Gerken recalled elected officials and employees in the past leading prayers and stated that an official of a city espouses religion which crosses the line; however, it is in order if the city has an open policy with ministers. He also indicated that "a moment of silence" adopted by municipalities is not the city's preference; noted that an uninvited guest to give an invocation should not be denied, and recognized invocations as a solemn and respectful time before the meeting.

**(c) Police and Fire Fees**

Mr. Gerken announced that Tuesday, January 27, 2015 would be the date of the police and fire fees hearing, a court reporter will be available, and he will provide a report at the next city commission meeting.

### **9. COMMISSIONERS' COMMENTS**

**(a) Vice Mayor Cheshire**

Vice Mayor Cheshire mentioned the need to work off staff's recommendations; addressed property owners maintaining easements and sidewalks, and believed that beautifying the city with trees is a good start.

Vice Mayor Cheshire questioned the procedures for an elected official speaking with individuals outside the city and whether they are representing themselves, the city commission or the city.

**(b) Commissioner Gunter, Jr.**

With respect to code enforcement and with reference to earlier discussions on property owners' responsibility in maintaining an easement or sidewalk, Commissioner Gunter requested whether Mr. Gerken could review said provision.

**(c) Commissioner Lewis**

Commissioner Lewis explained that he is in favor of keeping the city friendly; however, he referenced a bulk household item on the side of the street and believes the city needs a policy and procedures in that regard.

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**(d) Commissioner Ranize**

Commissioner Ranize recalled the events involving his previous conversations with City of Leesburg Police Chief Rob Hicks regarding the Walmart Stores Inc.; referred to his subsequent January 4, 2015 email to Mr. La Venia regarding same, and extended his apologies if he did something improper and offended anyone.

**10. MAYOR'S COMMENTS**

**(a) 2015 Lake County Community Service Awards Nomination**

Mayor Bell referred to the 2015 Lake County Community Service Awards Nomination; recommended that the city nominate Pastor Brock in the humanitarian category for the May 6, 2015, Lake Receptions as a result of his efforts in bringing the community together, and recognized the recent "Bless Fruitland Park" event that he organized.

Upon Mayor Bell's recommendation and **by unanimous consent, the city commission requested that Mr. Steve Fussell, Fruitland Park Café owner, assist in preparing the nomination form recognizing and publically honoring Pastor Sidney "Sid" Brock, Heritage Community Church, for his outstanding community service in the "humanitarian" category.**

**(b) Lake-Sumter MPO 8<sup>th</sup> Annual Dinner and Horizon Awards**

Mayor Bell cited the January 16, 2015 email regarding the Lake-Sumter Metropolitan Planning Organization's 8<sup>th</sup> Annual Dinner and Horizon Awards where the city was nominated for an award in the small municipality category. (A copy of the email is filed with the supplemental papers to the minutes of this meeting.)

**(c) City Manager's Contract**

On behalf of the city commission, Mayor Bell extended congratulations to Mr. La Venia on his first year of employment with the city and noted that the city employees previously received a bonus with the exception of the city manager.

After discussion and **on motion of Commissioner Lewis, seconded by Commissioner Gunter and unanimously carried, the city commission awarded a \$1,000 bonus to City Manager Gary La Venia.**

**(d) Dates to Remember**

**i. IEMO**

Mayor Bell recognized that Commissioners Lewis and Ranize will be attending the January 23-25, 2015 Florida League of Cities' (FLC's) Institute for Elected Municipal Officials in Jacksonville, Florida.



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**ii. Walker International “Circus”**

Mayor Bell referred to the Walker International “Circus” event to take place on January 24, 2015 (at 3:00 p.m. and 5:30 p.m.) and January 25, 2015 (at 2:00 p.m. and 4:30 p.m.) at Camp Geneva.

Ms. Yoder explained the deadline of January 23, 2015 to obtain tickets for \$12 each with children under 14 attending free with a paid adult and described the activities involved. She announced that Camp Geneva will be holding an open house to tour its early learning center for those who are attending the circus.

**iii. Fruitland Park Cleanup Day**

Ms. Yoder noted Fruitland Park Cleanup Day on March 21, 2015.

**iv. Fruitland Park Day**

Ms. Yoder indicated that everything has not yet been finalized for Fruitland Park Day for April 11, 2015. She described the plans to advertise the event, the activities involved, and the speakers expected to participate.

**v. 5k Love Run**

Ms. Yoder explained that sign-up for volunteers for the February 14, 2015 5k Love Run is still available on [www.raceroster.com](http://www.raceroster.com); registration and packages can be obtained the evening before the event, and that Pilgrims United Church of Christ will be providing breakfast free of charge.

**vii. Ethics Training**

Mayor Bell referred to the Lake County League of Cities partnering with FLC’s to provide the four hours of Ethics Training required by state statutes; recognized that Commissioners Lewis and Ranize will be attending the IEMO which will cover said training, and discussed with Mr. Gerken several opportunities to find additional hours.

**viii. Next Meeting**

Mayor Bell announced that the next regular city commission meeting will be held on Thursday, February 12, 2015.

**ix. Lake County Days**

Mayor Bell noted that he and Mr. La Venia will be attending Lake County Days on February 17 to 18, 2015.

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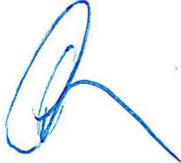
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**11. ADJOURNMENT**

**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 9:50 p.m.**

The minutes were approved at the February, 12, 2015 regular meeting.



Signed \_\_\_\_\_  
Esther B. Coulson, City Clerk



Signed \_\_\_\_\_  
Christopher Bell, Mayor