

**FRUITLAND PARK CITY COMMISSION REGULAR MEETING
MINUTES
May 8, 2014**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, April 24, 2014 at 7:00 p.m.

Members Present: Mayor Christopher Bell, Commissioners Christopher Cheshire, John L. Gunter, Jr., and Sharon Kelly.

Members Absent: Vice Mayor Albert Goldberg

Also Present: City Manager Gary La Venia, City Attorney Scott Gerken, City Treasurer Tannette Gayle, Police Chief Terry Isaacs, Community Development Director Charlie Rector, Captain David Borst, 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

Mayor Bell called the meeting to order at 7:02 p.m.; Police Chief Terry Isaacs gave the invocation, and Firefighter. Tim Yoder, Fire Department, led in the Pledge of Allegiance to the flag.

2. ROLL CALL

Ms. Coulson called the roll and a quorum was declared present.

3. PROCLAMATION – *Motor Cycle Safety Awareness Month – May 2014*

On behalf of the city commission, Mayor Bell proclaimed May 2014 as “*Motorcycle Safety Awareness Month*” and reminded motorists and motorcyclists alike during Motorcycle Safety Awareness Month to “share the road” in order to help prevent motorcycle crashes, deaths and injuries on Lake County roads.

The proclamation was accepted with thanks by Chief Isaacs.

4. PUBLIC COMMENTS

No one from the public appeared before the city commission at this time.

SPECIAL RECOGNITION

On behalf of the city commission, Mayor Bell acknowledged Senior Fire Chief Thomas “Tommy” Lee Gamble who was presented with the 2014 Lake County Community Service Award for community service on March 31, 2014 at a Banquet at Lake Receptions in Mount Dora. Chief Gamble was honored for his 53 years of service, dedication and selflessness in making Lake County a better place to live.

The city commission extended heartfelt congratulations to Chief Gamble who expressed much appreciation to the city commission and thanked Police Chief Isaacs and Deputy Chief David Borst for their continued support.

Fruitland Park City Commission Minutes

May 8, 2014

Page 2 of 13

By unanimous consent, and upon Mayor Bell's suggestion, the city commission took the following items out of order on this evening's agenda:

7. REGULAR AGENDA

(a) Charter Review Committee Update

Mr. La Venia gave an update on matters relating to the Charter Review Committee. He reported on its review of the charter; the intent to make recommendations on the creation of voting districts, hold a public hearing at 6:00 p.m. on May 20, 2014 in the city commission chambers to discuss the recommendations, and same, at a subsequent meeting, to the commission.

(b) Auditor's Financial Report – W. Chet Ross, CPA, Shumacker, Johnston & Ross PA

By unanimous consent, the city commission approved, at the mayor's suggestion, its consideration of the Auditor's Financial Report to later in the meeting.

It being later in the meeting and **by unanimous consent, the city commission postponed the Auditor's Financial Report to the next meeting.**

5. LOCAL PLANNING AGENCY

As soon as practical, recess to the Local Planning Agency Meeting at 7:15 p.m.

By unanimous consent, the city commission recessed its meeting at 7:16 p.m. to the Local Planning Agency and the Community Redevelopment Agency and reconvened at 7:30 p.m.

By unanimous consent, and upon Mayor Bell's suggestion, the city commission took the following items out of order on this evening's agenda:

7. REGULAR AGENDA

(f) First Reading - Ordinance 2014-015 - Water System Disconnection Fee

Mr. Gerken read into the record, the title of proposed Ordinance 2014-015, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 50 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES; SPECIFICALLY AMENDING SECTION 50.30(F) REGARDING A DISCONNECTION FEE DUE TO NONPAYMENT FOR WATER SERVICES; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY;

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Fruitland Park City Commission Minutes

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Page 2 of 13

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On motion of Commissioner Kelly, seconded by Commissioner Cheshire and unanimously carried, the city commission approved Ordinance 2014-015 as previously cited.

- (g) **First Reading – Ordinance 2014-012 – Rezoning - West of Micro Race-Track Road and North of CR 466A – Applicant and Owner: DR GCS Holdings, LLC**

Mr. Gerken read into the record, the title of proposed Ordinance 2014-012, the substance of which is as follows:

2AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 1.39 ± ACRES OF LAND GENERALLY LOCATED WEST OF MICRO RACETRACK ROAD AND NORTH OF CR 466A; REZONING THE PROPERTY FROM LAKE COUNTY “AG” (AGRICULTURE) TO GENERAL COMMERCIAL WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER 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 SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 22, 2014.)

On motion of Commissioner Kelly, seconded by Commissioner Cheshire and unanimously carried, the city commission approved Ordinance 2014-012 as previously cited.

- (h) **First Reading – Ordinance 2014-013 Comprehensive Plan Amendment - West of Micro Race-Track Road and North of CR 466A – Applicant and Owner: DR GCS Holdings, LLC**

Mr. Gerken read into the record, the title of proposed Ordinance 2014-013, 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 LAKE COUNTY AGRICULTURE TO COMMERCIAL HIGH INTENSITY IN

Fruitland Park City Commission Minutes

May 8, 2014

Page 4 of 13

THE CITY OF FRUITLAND PARK ON THE FUTURE LAND USE MAP ELEMENT OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 1.39+ ACRES OF PROPERTY GENERALLY LOCATED WEST OF MICRO RACETRACK ROAD AND NORTH OF CR 466a; DIRECTING THE CITY CLERK TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 22, 2014.)

On motion of Commissioner Gunter, seconded by Commissioner Kelly and unanimously carried, the city commission approved Ordinance 2014-013 as previously cited.

- (i) **First Reading – Ordinance 2014-014 Establish Village Community Development District No. 11. – Petitioner: The Villages of Lake-Sumter Inc.**
Mr. Gerken read into the record, the title of proposed Ordinance 2014-014, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CREATING VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11 PURSUANT TO FLORIDA STATUTES 190.005; ENCOMPASSING PORTIONS OF LAND IN SECTIONS 5, 6, 7, 8, AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; PROVIDING FOR THE MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT; PROVIDING FOR THE NAME OF THE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR THE POWERS OF THE DISTRICT; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 22, 2014.)

After discussion, and **on motion of Commissioner Kelly, seconded by Commissioner Gunter and unanimously carried, the city commission approved Ordinance 2014-014 as previously cited.**

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

PUBLIC HEARING

- (j) **Second Reading and Public Hearing - Ordinance 2014-002 – Comprehensive Plan Amendment - “The Villages of Fruitland Park - DRI” - Applicant: Darrin Taylor Representing The Villages of Lake-Sumter, Inc.**

It now being the time advertised to hold a public hearing to consider Ordinance 2014-002, the substance of which is as follows, Mr. Gerken read the title and interested citizens were called upon to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT TO CREATE A NEW FUTURE LAND USE DESIGNATION WITHIN THE CITY OF FRUITLAND PARK’S COMPREHENSIVE PLAN ENTITLED “THE VILLAGES OF FRUITLAND PARK-DRI”; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT PURSUANT TO FLORIDA STATUTE 163.3184(3) AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY RURAL TO THE VILLAGES OF FRUITLAND PARK DRI ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK’S COMPREHENSIVE PLAN FOR APPROXIMATELY 780 ± ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF CR 466-A AND NORTH OF PINE RIDGE DAIRY ROAD; PROVIDING FOR SEVERABILITY; DIRECTING THE CITY MANAGER 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 first public hearing was held on February 27, 2014.)

There being no public comments, **and by unanimous consent, Mayor Bell closed public hearing.**

Mr. Rector described the subject property, the location, and its proposed use, recognized the presence of Mr. Gary Moyer, representing The Villages of Lake-Sumter Inc., at this evening’s meeting, and confirmed the state’s approval of the subject project.

A motion was made by Commissioner Gunter and seconded by Commissioner Kelly that the city commission approve the Local Planning Agency’s recommendation to enact Ordinance 2014-002, as previously cited, to become effective thirty one (31) days after adoption. (If the ordinance is challenged within thirty (30) days after adoption, the ordinance shall not

become effective until the state land planning agency or the Administration Commission, respectively issues a final order determining that the large-scale comprehensive plan is in compliance.).

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

QUASI-JUDICIAL PUBLIC HEARING

(k) **Second Reading and Quasi-Judicial Public Hearing – Ordinance 2014-003 – Rezoning – Pine Ridge Dairy Road – Applicant: Darrin Taylor Representing The Villages of Lake-Sumter, Inc.**

It now being the time advertised to hold a public hearing to consider Ordinance 2014-003, the substance of which is as follows, Mr. Gerken read the title, swore in individuals who intended to testify, and interested citizens were called upon to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING APPROXIMATELY 780± ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF CR 466A AND NORTH OF PINE RIDGE DAIRY ROAD FROM CITY “C-1” (NEIGHBORHOOD COMMERCIAL DISTRICT) FOR APPROXIMATELY 94.6 ACRES OF THE PROPERTY, CITY “C-2” (GENERAL COMMERCIAL) FOR APPROXIMATELY 60 ACRES OF THE PROPERTY, CITY “GB” (GREENBELT DISTRICT) FOR APPROXIMATELY 1.45 ACRES OF THE PROPERTY, CITY “PFD” (PUBLIC FACILITIES DISTRICT) FOR APPROXIMATELY 15 ACRES OF THE PROPERTY, CITY “R-1” (SINGLE FAMILY LOW DENSITY RESIDENTIAL) FOR APPROXIMATELY 402.8 ACRES OF THE PROPERTY, CITY “R-2” (SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL) FOR APPROXIMATELY 129.45 ACRES OF THE PROPERTY, CITY “R-2A” (MEDIUM DENSITY RESIDENTIAL) FOR APPROXIMATELY 41 ACRES OF THE PROPERTY, AND CITY “R-3” (MULTI-FAMILY HIGH DENSITY RESIDENTIAL) FOR APPROXIMATELY 35.7 ACRES OF THE PROPERTY TO MIXED USE PLANNED UNIT DEVELOPMENT WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (First reading was held on April 24, 2014)

Fruitland Park City Commission Minutes

May 8, 2014

Page 7 of 13

After Mr. Rector, who was previously sworn, described the master development agreement and outlined the procedures involved, Mr. Gerken identified the agreements relating to the project.

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

A motion was made by Commissioner Kelly and seconded by Commissioner Cheshire that the city commission enact previously cited Ordinance 2014-003 to become effective upon the effective date of the comprehensive plan amendment adopted to provide for the Villages of Fruitland Park Development of Regional Impact, subject to the contingencies set forth in the ordinance and if the comprehensive plan amendment is timely challenged, the ordinance does not become effective until the comprehensive plan amendment goes into effect.

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

END OF QUASI-JUDICIAL PUBLIC HEARING

(I) Public Hearing - Resolution 2014-001 – Notice of Proposed Change - Development Order “The Villages of Fruitland Park DRI”

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING A DEVELOPMENT ORDER FOR THE VILLAGES OF FRUITLAND PARK DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR AN EFFECTIVE DATE.

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

A motion was made by Commissioner Cheshire and seconded by Commissioner Gunter that the city commission adopt Resolution 2014-001 as previously cited to become effective upon the effective date of the comprehensive plan amendment adopted to provide for the Villages of Fruitland Park Development of Regional Impact, provided that filing of a notice of appeal pursuant to Section 380.07, Florida Statutes, will stay the effectiveness of the development order.

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

On behalf of The Villages of Lake-Sumter Inc., Mr. H. Gary Morse expressed appreciation to the city commission and staff on the process they went through with them since starting a year ago to which Mayor Bell, on behalf of the city commission, welcomed the Villages.

END OF PUBLIC HEARING

(m) Bulk Potable Water Agreement

The city commission considered its action to approve the bulk potable water agreement between the City of Fruitland Park and Central-Sumter Utility Company for bulk potable water.

After Mr. Gerken outlined the service to be provided to The Villages, he recognized the presence of Mr. Duane K. Booth, Booth Ern Straughan Hoitt, at this evening's meeting and expressed appreciation of his services to the city.

In response to the negative to a question posed by Mr. Joe Hill, Lake County resident and former St Johns River Water Management District Chair, on the use of landscape irrigation, Mr. La Venia confirmed that staff is still working together with Mr. Hill on Water Conservation Rule with Landscaping Requirements Ordinance 2012-019.

On motion of Commissioner Kelly, seconded by Commissioner Cheshire and unanimously carried, the city commission approved the bulk potable water agreement previously cited.

(n) Water Plant Improvements

The city commission considered its action to approve the extension of the water and wastewater lines agreement between the City of Fruitland Park and the Villages of Lake-Sumter Inc. for the construction of water plant improvements.

Mr. Gerken outlined the current status, the future use and service areas of the water and wastewater lines; addressed the Villages agreement to construct a number of other wastewater lines, and noted their financial contributions in this regard.

In response to Mayor Bell's inquiry, Mr. Rector identified the potential impacts to various roadways affected by the subject water plant improvements and recognized the advantages of contract time that will be saved for the city.

On motion of Commissioner Cheshire, seconded Commissioner Gunter and unanimously carried, the city commission approved the extension of the water and wastewater lines agreement as previously cited.

PUBLIC HEARING

(o) **Second Reading and Public Hearing – Ordinance 2014-010 - Municipal Service Taxing Unit for Ambulance and EMS**

It now being the time advertised to hold a public hearing to consider Ordinance 2014-010, the substance of which is as follows, Mr. Gerken read the title and interested citizens were called upon to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONSENTING TO THE INCLUSION OF THE CITY OF FRUITLAND PARK, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT (MSTU) FOR THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE CITY TO BE INCLUDED WITHIN SAID MSTU FOR A SPECIFIED TERM OF YEARS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (First reading was held on April 24, 2014)

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

Mayor Bell relayed his attendance earlier this day at Lake Emergency Medical Services Inc.'s Budget Workshop, as part of the Lake EMS Employee Issues Committee, on EMS having to redesign and maintain its level of service to Lake County. He referred to his meeting with the committee's chair, Ms. Leslie Campione; addressed the outstanding issue of increasing the MSTU to provide additional financing and pay back to Community Redevelopment Areas (CRAs) countywide to which she believed CRAs ought to pay back same to MSTU.

After discussion Mayor Bell commended Mr. Gerald "Jerry" L. Smith II., Lake Emergency Medical Services Inc., for his leadership and performance. He stated that the city would not consider opting into the agreement in 2015 if the MSTU is increased.

On motion of Commissioner Kelly, seconded by Commissioner Cheshire and unanimously carried, the city commission enacted Ordinance 2014-010 as previously cited to become effective as provided by law.

(p) **Second Reading and Public Hearing – Ordinance 2014-011 – Golf Carts and Low Speed Vehicles**

It now being the time advertised to hold a public hearing to consider Ordinance 2014-011, the substance of which is as follows, Mr. Gerken read the title and interested citizens were called upon to be heard:

Fruitland Park City Commission Minutes

May 8, 2014

Page 10 of 13

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 73.04 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES ENTITLED GOLF CARTS AND LOW SPEED VEHICLES; SPECIFICALLY DELETING PROVISIONS REGARDING GOLF CART AND LOW SPEED VEHICLE INSPECTIONS AND FEES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (First reading was held on April 24, 2014.)

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

On motion of Commissioner Gunter, seconded by Commissioner Kelly and unanimously carried, the city commission enacted 2014-011 as previously cited to become effective immediately as provided by law.

(c) Future City Events

The city commission considered establishing a date for the annual Fruitland Park/Founders Day event.

After discussion and upon the parks and recreation director's recommendation, the city commission, **by unanimous consent, the city commission agreed to the parks and recreation director's recommendation to hold Fruitland Park/Founders Day on Saturday, April 11, 2015, recognizing that it would not be a permanent annual date.**

After further deliberations, **and by unanimous consent, the city commission approved the parks and recreation director's recommendation to the date of March 21, 2015 as "Fruitland Park Cleanup Day".**

Mayor Bell conveyed the citizens' remarks on a community project in the fall and suggested forgoing same until a decision could be made in advance in order that the public would be aware.

Ms. Yoder noted the recent increase in recreation fees, as it relates to the casino building; described needed upgrades at an approximate cost of \$30,000, and noted the patrons' satisfaction whereby it is currently being booked frequently for rent.

Mr. Drew Carl, city resident, gave reasons why he supported the need to improve the casino building,

After further discussion, Mayor Bell recognized the city's current process of working on the whole plan, as a CRA project, to proceed with properties in the

Fruitland Park City Commission Minutes

May 8, 2014

Page 11 of 13

vicinity and improving the subject area within the next year. He addressed the need for more review with staff on the building's use and the costs involved to upgrade, if the decision is made to keep it.

Following further deliberations, Mayor Bell suggested holding a workshop.

Later in the meeting, Mayor Bell explained that he will work with Ms. Coulson on a date to hold a workshop regarding the casino building.

(d) Real Estate Purchase – 207 West Berckman Street - Property Adjacent to the City Library

On motion of Commissioner Gunter, seconded by Commissioner Cheshire and unanimously carried, the city commission approved the Community Redevelopment Agency's recommendation of approval of the funding of \$41,116.05 towards the purchase of property from Mr. Robert R. Ruiz, property owner, located on 207 West Berckman Street.

(e) City Roadways

On motion of Commissioner Gunter, seconded by Commissioner Cheshire, and unanimously carried, the city commission approved the Community Redevelopment Agency's recommendation of approval to fund \$132,642.50 for the City of Fruitland Park roadway improvements, as identified in the Public Works Department list; authorized the city manager to negotiate an agreement piggybacking with Lake County or any of the Lake County municipalities, and waived the city's procurement procedures.

8. NEW BUSINESS

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

9. OFFICERS' REPORTS

(a) City Manager

- Public Relations Brochure

Mr. La Venia explained that he is waiting for a paragraph from Mayor Bell and photographs for the Public Relations Brochure.

- CR 466A Corridor

Mr. La Venia referred to the draft letter dated May 8, 2014 written to the Florida Governor regarding the city commission's support for County Road 466A roadway improvements and the portion of same which will remain unfunded.

- Water Conservation Ordinance

Mr. La Venia explained that a meeting has been arranged with Mr. Hill for the end of the month to address the Water Conservation Rule with Landscaping Requirements Ordinance 2012-019.

Fruitland Park City Commission Minutes

May 8, 2014

Page 12 of 13

- **Diversity Harassment and Ethics Employee Training**
Mr. La Venia announced that a diversity harassment and ethics training for city employees will be held in the future and noted that two sessions will be conducted by Attorney Dorothy “Dotty” Green, the city’s labor council from Latham Shuker Eden & Beaudine LLP.
 - **The Villages of Fruitland Park**
After Mr. La Venia reiterated comments of appreciation to Mr. Morse and recognized the work by Messrs. Rector, Gerken and Booth, the city commission expressed their appreciation.
- (b) **City Attorney**
- **Civility Month**
Mr. Gerken reminded the city commission that May 2014 has been recognized as *Civility Month*.
 - **Prayers Before Town Hall Meetings**
Mr. Gerken referred to recent news relating to the U.S. Supreme Court’s decision supporting prayers at municipal meetings which the city can continue to do as it has done for many years. He addressed his intent to provide recommendations on improving the selection process of individuals to make it as inclusive as possible.
 - **North West Lake Community Park ILA**
Mr. Gerken referred to a draft interlocal agreement received regarding the North West Lake Community Park project and the plan to proceed as a partner with the city. He addressed his intent to meet with staff and the county and provide a report to the city commission.

10. COMMISSIONERS’ COMMENTS

- (a) **Vice Mayor Goldberg**
Upon Mayor Bell’s suggestion and **by unanimous consent, the city commission excused Vice Mayor Goldberg’s absence at this evening’s meeting.**
- (b) **Commissioner Cheshire**
Commissioner Cheshire expressed his support of The Villages moving forward and the city’s plan to pave its roadways.
- (c) **Commissioner Gunter, Jr.**
After Commissioner Gunter anticipated June 2014 as the date of completion for the construction of roadway improvements on US Highway 441 and in response to his question, Mr. Bogle stated that he will

provide a report, through Mr. La Venia, on the State of Florida Department of Transportation's costs to maintain the highway's median.

(d) Commissioner Kelly

Commissioner Kelly stated that she has nothing to report at this time.

11. MAYOR'S COMMENTS

- Lake EMS - Budget

Mayor Bell referred to Lake EMS' budget meeting held earlier this day and reported on its review of Lake County's plan for a three percent increase in property taxes in 2014.

- Northwest Community Park ILA

Mayor Bell recognized that Lake County's Parks, Recreation and Trails Advisory Board meeting will be held on May 12, 2014; referred to his conversations with Mr. Sanford A. "Sandy" Minkoff, Lake County Attorney, on the changes to the ILA for the Northwest Community Park, and anticipated providing a report on same to the city commission for review.

- Lake County League of Cities

Mayor Bell announced that he will not be able to attend the Lake County League of Cities meeting to be held on May 9, 2014.

- Employee Picnic

Mayor Bell noted that the Employee Picnic has been rescheduled to Saturday, May 17, 2014.

- Special Commission Meeting

Mayor Bell recognized that a Special City Commission Meeting will be held on Thursday, July 31, 2014 to set the tentative tax rate.

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 8:55 p.m.

The minutes were approved at the May 22, 2014 regular city commission meeting.

Signed 
Esther B. Coulson, City Clerk

Signed 
Christopher Bell, Mayor

On motion of Commissioner Kelly, seconded by Commissioner Cheshire and unanimously carried, the city commission approved Ordinance 2014-015 as previously cited.

- (g) First Reading – Ordinance 2014-012 – Rezoning - West of Micro Race-Track Road and North of CR 466A – Applicant and Owner: DR GCS Holdings, LLC**

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- (h) First Reading – Ordinance 2014-013 Comprehensive Plan Amendment - West of Micro Race-Track Road and North of CR 466A – Applicant and Owner: DR GCS Holdings, LLC**

Mr. Gerken read into the record, the title of proposed Ordinance 2014-013, 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 LAKE COUNTY AGRICULTURE TO COMMERCIAL HIGH INTENSITY IN

Fruitland Park City Commission Minutes

May 8, 2014

Page 4 of 13

THE CITY OF FRUITLAND PARK ON THE FUTURE LAND USE MAP ELEMENT OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 1.39+ ACRES OF PROPERTY GENERALLY LOCATED WEST OF MICRO RACETRACK ROAD AND NORTH OF CR 466a; DIRECTING THE CITY CLERK TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 22, 2014.)

On motion of Commissioner Gunter, seconded by Commissioner Kelly and unanimously carried, the city commission approved Ordinance 2014-013 as previously cited.

- (i) **First Reading – Ordinance 2014-014 Establish Village Community Development District No. 11. – Petitioner: The Villages of Lake-Sumter Inc.**
Mr. Gerken read into the record, the title of proposed Ordinance 2014-014, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CREATING VILLAGE COMMUNITY DEVELOPMENT DISTRICT NO. 11 PURSUANT TO FLORIDA STATUTES 190.005; ENCOMPASSING PORTIONS OF LAND IN SECTIONS 5, 6, 7, 8, AND 18, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; PROVIDING FOR THE MEMBERS OF THE BOARD OF SUPERVISORS FOR THE DISTRICT; PROVIDING FOR THE NAME OF THE COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR THE POWERS OF THE DISTRICT; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 22, 2014.)

After discussion, and **on motion of Commissioner Kelly, seconded by Commissioner Gunter and unanimously carried, the city commission approved Ordinance 2014-014 as previously cited.**

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

PUBLIC HEARING

- (j) **Second Reading and Public Hearing - Ordinance 2014-002 – Comprehensive Plan Amendment - “The Villages of Fruitland Park - DRI” - Applicant: Darrin Taylor Representing The Villages of Lake-Sumter, Inc.**

It now being the time advertised to hold a public hearing to consider Ordinance 2014-002, the substance of which is as follows, Mr. Gerken read the title and interested citizens were called upon to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT TO CREATE A NEW FUTURE LAND USE DESIGNATION WITHIN THE CITY OF FRUITLAND PARK’S COMPREHENSIVE PLAN ENTITLED “THE VILLAGES OF FRUITLAND PARK-DRI”; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT PURSUANT TO FLORIDA STATUTE 163.3184(3) AMENDING THE FUTURE LAND USE DESIGNATION FROM LAKE COUNTY RURAL TO THE VILLAGES OF FRUITLAND PARK DRI ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK’S COMPREHENSIVE PLAN FOR APPROXIMATELY 780 ± ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF CR 466-A AND NORTH OF PINE RIDGE DAIRY ROAD; PROVIDING FOR SEVERABILITY; DIRECTING THE CITY MANAGER 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 first public hearing was held on February 27, 2014.)

There being no public comments, **and by unanimous consent, Mayor Bell closed public hearing.**

Mr. Rector described the subject property, the location, and its proposed use, recognized the presence of Mr. Gary Moyer, representing The Villages of Lake-Sumter Inc., at this evening’s meeting, and confirmed the state’s approval of the subject project.

A motion was made by Commissioner Gunter and seconded by Commissioner Kelly that the city commission approve the Local Planning Agency’s recommendation to enact Ordinance 2014-002, as previously cited, to become effective thirty one (31) days after adoption. (If the ordinance is challenged within thirty (30) days after adoption, the ordinance shall not

become effective until the state land planning agency or the Administration Commission, respectively issues a final order determining that the large-scale comprehensive plan is in compliance.).

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

QUASI-JUDICIAL PUBLIC HEARING

(k) Second Reading and Quasi-Judicial Public Hearing – Ordinance 2014-003 – Rezoning – Pine Ridge Dairy Road – Applicant: Darrin Taylor Representing The Villages of Lake-Sumter, Inc.

It now being the time advertised to hold a public hearing to consider Ordinance 2014-003, the substance of which is as follows, Mr. Gerken read the title, swore in individuals who intended to testify, and interested citizens were called upon to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING APPROXIMATELY 780± ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF CR 466A AND NORTH OF PINE RIDGE DAIRY ROAD FROM CITY “C-1” (NEIGHBORHOOD COMMERCIAL DISTRICT) FOR APPROXIMATELY 94.6 ACRES OF THE PROPERTY, CITY “C-2” (GENERAL COMMERCIAL) FOR APPROXIMATELY 60 ACRES OF THE PROPERTY, CITY “GB” (GREENBELT DISTRICT) FOR APPROXIMATELY 1.45 ACRES OF THE PROPERTY, CITY “PFD” (PUBLIC FACILITIES DISTRICT) FOR APPROXIMATELY 15 ACRES OF THE PROPERTY, CITY “R-1” (SINGLE FAMILY LOW DENSITY RESIDENTIAL) FOR APPROXIMATELY 402.8 ACRES OF THE PROPERTY, CITY “R-2” (SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL) FOR APPROXIMATELY 129.45 ACRES OF THE PROPERTY, CITY “R-2A” (MEDIUM DENSITY RESIDENTIAL) FOR APPROXIMATELY 41 ACRES OF THE PROPERTY, AND CITY “R-3” (MULTI-FAMILY HIGH DENSITY RESIDENTIAL) FOR APPROXIMATELY 35.7 ACRES OF THE PROPERTY TO MIXED USE PLANNED UNIT DEVELOPMENT WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; PROVIDING FOR CONDITIONS AND CONTINGENCIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (First reading was held on April 24, 2014)

Fruitland Park City Commission Minutes

May 8, 2014

Page 7 of 13

After Mr. Rector, who was previously sworn, described the master development agreement and outlined the procedures involved, Mr. Gerken identified the agreements relating to the project.

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

A motion was made by Commissioner Kelly and seconded by Commissioner Cheshire that the city commission enact previously cited Ordinance 2014-003 to become effective upon the effective date of the comprehensive plan amendment adopted to provide for the Villages of Fruitland Park Development of Regional Impact, subject to the contingencies set forth in the ordinance and if the comprehensive plan amendment is timely challenged, the ordinance does not become effective until the comprehensive plan amendment goes into effect.

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

END OF QUASI-JUDICIAL PUBLIC HEARING

(I) Public Hearing - Resolution 2014-001 – Notice of Proposed Change - Development Order “The Villages of Fruitland Park DRI”

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING A DEVELOPMENT ORDER FOR THE VILLAGES OF FRUITLAND PARK DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR AN EFFECTIVE DATE.

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

A motion was made by Commissioner Cheshire and seconded by Commissioner Gunter that the city commission adopt Resolution 2014-001 as previously cited to become effective upon the effective date of the comprehensive plan amendment adopted to provide for the Villages of Fruitland Park Development of Regional Impact, provided that filing of a notice of appeal pursuant to Section 380.07, Florida Statutes, will stay the effectiveness of the development order.

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

On behalf of The Villages of Lake-Sumter Inc., Mr. H. Gary Morse expressed appreciation to the city commission and staff on the process they went through with them since starting a year ago to which Mayor Bell, on behalf of the city commission, welcomed the Villages.

END OF PUBLIC HEARING

(m) Bulk Potable Water Agreement

The city commission considered its action to approve the bulk potable water agreement between the City of Fruitland Park and Central-Sumter Utility Company for bulk potable water.

After Mr. Gerken outlined the service to be provided to The Villages, he recognized the presence of Mr. Duane K. Booth, Booth Ern Straughan Hoitt, at this evening's meeting and expressed appreciation of his services to the city.

In response to the negative to a question posed by Mr. Joe Hill, Lake County resident and former St Johns River Water Management District Chair, on the use of landscape irrigation, Mr. La Venia confirmed that staff is still working together with Mr. Hill on Water Conservation Rule with Landscaping Requirements Ordinance 2012-019.

On motion of Commissioner Kelly, seconded by Commissioner Cheshire and unanimously carried, the city commission approved the bulk potable water agreement previously cited.

(n) Water Plant Improvements

The city commission considered its action to approve the extension of the water and wastewater lines agreement between the City of Fruitland Park and the Villages of Lake-Sumter Inc. for the construction of water plant improvements.

Mr. Gerken outlined the current status, the future use and service areas of the water and wastewater lines; addressed the Villages agreement to construct a number of other wastewater lines, and noted their financial contributions in this regard.

In response to Mayor Bell's inquiry, Mr. Rector identified the potential impacts to various roadways affected by the subject water plant improvements and recognized the advantages of contract time that will be saved for the city.

On motion of Commissioner Cheshire, seconded Commissioner Gunter and unanimously carried, the city commission approved the extension of the water and wastewater lines agreement as previously cited.

PUBLIC HEARING

(o) **Second Reading and Public Hearing – Ordinance 2014-010 - Municipal Service Taxing Unit for Ambulance and EMS**

It now being the time advertised to hold a public hearing to consider Ordinance 2014-010, the substance of which is as follows, Mr. Gerken read the title and interested citizens were called upon to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONSENTING TO THE INCLUSION OF THE CITY OF FRUITLAND PARK, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT (MSTU) FOR THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE CITY TO BE INCLUDED WITHIN SAID MSTU FOR A SPECIFIED TERM OF YEARS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (First reading was held on April 24, 2014)

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

Mayor Bell relayed his attendance earlier this day at Lake Emergency Medical Services Inc.'s Budget Workshop, as part of the Lake EMS Employee Issues Committee, on EMS having to redesign and maintain its level of service to Lake County. He referred to his meeting with the committee's chair, Ms. Leslie Campione; addressed the outstanding issue of increasing the MSTU to provide additional financing and pay back to Community Redevelopment Areas (CRAs) countywide to which she believed CRAs ought to pay back same to MSTU.

After discussion Mayor Bell commended Mr. Gerald "Jerry" L. Smith II., Lake Emergency Medical Services Inc., for his leadership and performance. He stated that the city would not consider opting into the agreement in 2015 if the MSTU is increased.

On motion of Commissioner Kelly, seconded by Commissioner Cheshire and unanimously carried, the city commission enacted Ordinance 2014-010 as previously cited to become effective as provided by law.

(p) **Second Reading and Public Hearing – Ordinance 2014-011 – Golf Carts and Low Speed Vehicles**

It now being the time advertised to hold a public hearing to consider Ordinance 2014-011, the substance of which is as follows, Mr. Gerken read the title and interested citizens were called upon to be heard:

Fruitland Park City Commission Minutes

May 8, 2014

Page 10 of 13

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 73.04 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES ENTITLED GOLF CARTS AND LOW SPEED VEHICLES; SPECIFICALLY DELETING PROVISIONS REGARDING GOLF CART AND LOW SPEED VEHICLE INSPECTIONS AND FEES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (First reading was held on April 24, 2014.)

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

On motion of Commissioner Gunter, seconded by Commissioner Kelly and unanimously carried, the city commission enacted 2014-011 as previously cited to become effective immediately as provided by law.

(c) Future City Events

The city commission considered establishing a date for the annual Fruitland Park/Founders Day event.

After discussion and upon the parks and recreation director's recommendation, the city commission, **by unanimous consent, the city commission agreed to the parks and recreation director's recommendation to hold Fruitland Park/Founders Day on Saturday, April 11, 2015, recognizing that it would not be a permanent annual date.**

After further deliberations, **and by unanimous consent, the city commission approved the parks and recreation director's recommendation to the date of March 21, 2015 as "Fruitland Park Cleanup Day".**

Mayor Bell conveyed the citizens' remarks on a community project in the fall and suggested forgoing same until a decision could be made in advance in order that the public would be aware.

Ms. Yoder noted the recent increase in recreation fees, as it relates to the casino building; described needed upgrades at an approximate cost of \$30,000, and noted the patrons' satisfaction whereby it is currently being booked frequently for rent.

Mr. Drew Carl, city resident, gave reasons why he supported the need to improve the casino building,

After further discussion, Mayor Bell recognized the city's current process of working on the whole plan, as a CRA project, to proceed with properties in the

Fruitland Park City Commission Minutes

May 8, 2014

Page 11 of 13

vicinity and improving the subject area within the next year. He addressed the need for more review with staff on the building's use and the costs involved to upgrade, if the decision is made to keep it.

Following further deliberations, Mayor Bell suggested holding a workshop.

Later in the meeting, Mayor Bell explained that he will work with Ms. Coulson on a date to hold a workshop regarding the casino building.

(d) Real Estate Purchase – 207 West Berckman Street - Property Adjacent to the City Library

On motion of Commissioner Gunter, seconded by Commissioner Cheshire and unanimously carried, the city commission approved the Community Redevelopment Agency's recommendation of approval of the funding of \$41,116.05 towards the purchase of property from Mr. Robert R. Ruiz, property owner, located on 207 West Berckman Street.

(e) City Roadways

On motion of Commissioner Gunter, seconded by Commissioner Cheshire, and unanimously carried, the city commission approved the Community Redevelopment Agency's recommendation of approval to fund \$132,642.50 for the City of Fruitland Park roadway improvements, as identified in the Public Works Department list; authorized the city manager to negotiate an agreement piggybacking with Lake County or any of the Lake County municipalities, and waived the city's procurement procedures.

8. NEW BUSINESS

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

9. OFFICERS' REPORTS

(a) City Manager

- Public Relations Brochure

Mr. La Venia explained that he is waiting for a paragraph from Mayor Bell and photographs for the Public Relations Brochure.

- CR 466A Corridor

Mr. La Venia referred to the draft letter dated May 8, 2014 written to the Florida Governor regarding the city commission's support for County Road 466A roadway improvements and the portion of same which will remain unfunded.

- Water Conservation Ordinance

Mr. La Venia explained that a meeting has been arranged with Mr. Hill for the end of the month to address the Water Conservation Rule with Landscaping Requirements Ordinance 2012-019.

Fruitland Park City Commission Minutes

May 8, 2014

Page 12 of 13

- **Diversity Harassment and Ethics Employee Training**
Mr. La Venia announced that a diversity harassment and ethics training for city employees will be held in the future and noted that two sessions will be conducted by Attorney Dorothy “Dotty” Green, the city’s labor council from Latham Shuker Eden & Beaudine LLP.

- **The Villages of Fruitland Park**
After Mr. La Venia reiterated comments of appreciation to Mr. Morse and recognized the work by Messrs. Rector, Gerken and Booth, the city commission expressed their appreciation.

(b) **City Attorney**

- **Civility Month**
Mr. Gerken reminded the city commission that May 2014 has been recognized as *Civility Month*.

- **Prayers Before Town Hall Meetings**
Mr. Gerken referred to recent news relating to the U.S. Supreme Court’s decision supporting prayers at municipal meetings which the city can continue to do as it has done for many years. He addressed his intent to provide recommendations on improving the selection process of individuals to make it as inclusive as possible.

- **North West Lake Community Park ILA**
Mr. Gerken referred to a draft interlocal agreement received regarding the North West Lake Community Park project and the plan to proceed as a partner with the city. He addressed his intent to meet with staff and the county and provide a report to the city commission.

10. **COMMISSIONERS’ COMMENTS**

- (a) **Vice Mayor Goldberg**
Upon Mayor Bell’s suggestion and **by unanimous consent, the city commission excused Vice Mayor Goldberg’s absence at this evening’s meeting.**

- (b) **Commissioner Cheshire**
Commissioner Cheshire expressed his support of The Villages moving forward and the city’s plan to pave its roadways.

- (c) **Commissioner Gunter, Jr.**
After Commissioner Gunter anticipated June 2014 as the date of completion for the construction of roadway improvements on US Highway 441 and in response to his question, Mr. Bogle stated that he will

provide a report, through Mr. La Venia, on the State of Florida Department of Transportation's costs to maintain the highway's median.

(d) Commissioner Kelly

Commissioner Kelly stated that she has nothing to report at this time.

11. MAYOR'S COMMENTS

- Lake EMS - Budget

Mayor Bell referred to Lake EMS' budget meeting held earlier this day and reported on its review of Lake County's plan for a three percent increase in property taxes in 2014.

- Northwest Community Park ILA

Mayor Bell recognized that Lake County's Parks, Recreation and Trails Advisory Board meeting will be held on May 12, 2014; referred to his conversations with Mr. Sanford A. "Sandy" Minkoff, Lake County Attorney, on the changes to the ILA for the Northwest Community Park, and anticipated providing a report on same to the city commission for review.

- Lake County League of Cities

Mayor Bell announced that he will not be able to attend the Lake County League of Cities meeting to be held on May 9, 2014.

- Employee Picnic

Mayor Bell noted that the Employee Picnic has been rescheduled to Saturday, May 17, 2014.

- Special Commission Meeting

Mayor Bell recognized that a Special City Commission Meeting will be held on Thursday, July 31, 2014 to set the tentative tax rate.

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 8:55 p.m.

The minutes were approved at the May 22, 2014 regular city commission meeting.

Signed 
Esther B. Coulson, City Clerk

Signed 
Christopher Bell, Mayor