

**FRUITLAND PARK CITY COMMISSION MEETING MINUTES**  
**August 08, 2013**

MEETING STATISTICS. A regular meeting of the Fruitland Park City Commission was conducted in the Commission Chambers of City Hall, 506 West Berckman Street, Fruitland Park, Florida on Thursday, August 08, 2013 beginning at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. Invocation delivered by Pastor Berry from Freedom Church and Pledge of Allegiance led by Commissioner Cheshire.

ROLL CALL. Mayor Bell asked Acting City Clerk Marie Azzolino to call the roll.

ELECTED OFFICIALS PRESENT. Commissioner Albert O. Goldberg, Commissioner Chris Cheshire, Commissioner John L. Gunter, Jr., Vice Mayor Sharon Kelly, Mayor Christopher J. Bell

MUNICIPAL OFFICIALS/OTHERS PRESENT. Interim City Manager (ICM) Stephen Cottrell, Police Chief (PC) Terry Isaacs, City Treasurer (CT) Jeannine Racine Michaud, Community Development Director (CDD) Charlie Rector, Recreation Director (RD) Michelle Yoder, and City Clerk (CC) Diane Gibson Smith.

01. CITIZENS COMMENTS

Steven Fussell, 109 S Iona-resident and business owner of Fruitland Park Café suggest having a public meeting for resident's voice their say in a public forum.

02. CONSENT (Agenda Item 1)

- (a) Minutes of the June 13, 2013 Regular Commission Meeting
- (b) Minutes of the June 20, 2013 Regular Commission Meeting
- (c) Minutes of the June 27, 2013 Regular Commission Meeting

Commission Goldberg moved to accept the consent agenda, Commissioner Gunter seconded. The motion passed with all voting aye.

03. CITY ATTORNEY'S REPORT

Attorney Gerken stated ICM Rick Conner accompanied him to a court hearing on the fees case to certify the class action portion. Attorney Roper has asked for a continuance to evaluate the impact on the City. The hearing is scheduled for mid September. Some residents were in attendance in support of the fees but the Judge chose to continue the case and the residents were not heard at this time.

Attorney Gerken attended the Attorney's Municipal Conference (similar to the League of Cities), gave a brief synopsis of the *US Supreme Court Koontz case* re: limitations on new developments, this is a case of a 19 year running lawsuit pertaining to St. John's Water Management District and requirements pertaining to 'taking of his property'. The case went to the Supreme Court. It was found that the rational nexus of a property owner requests must be proportionate to what he is trying to do. The limitations on the applicant must be consistent based on the request made. Gerken gave a fictitious example: If a property owner impacts the roads then it would be consistent to recover those financial impacts. If the City were to say 'pay a million dollars and we will issue you a permit'

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(obviously we wouldn't do that) but in this scenario that would not be a reasonable connection of denial for that permit. The comment was presented as informational and cautionary in nature.

Commissioner Gunter asked Attorney Gerken about the recent purchase of utilities in surrounding areas from Aqua Utilities-Valencia Terrace, Skycrest and one additional one within the vicinity of the City. The cost involved to purchase these utility could be substantial but that is something that could be looked into. The PSA regulates the other private utility entities. Attorney Gerken stated he would check into further and advice.

### 04. CITY MANAGER'S REPORT

Interim City Manager requests a workshop, September 12 to receive guidance from the Commission's pertaining to the Villages proposed development.

### 05. OLD BUSINESS (Agenda Item 2)

Proceed with the Non-Matching Grant Application from Lowes. Assistant Chief Borst stated the grant is from \$ 2500-100,000. He is requesting monies for roof repair at the fire department, vermin extraction etc. No specific amount is required. The grant disbursement is based on the surrounding areas grant request.

Commissioner Goldberg made a motion, seconded by Vice Mayor Kelly. Motion passed with all voting aye.

### 06. NEW BUSINESS

(Agenda Item 3) Resolution 2013-017 amending the Budget \$1,494 to replace Backup Drive and Tapes in Police Dept.

Monies came from Legislative Contingency.

Vice Mayor Kelly made a motion, seconded by Commissioner Cheshire.

Roll was called - Commissioner Cheshire, Vice Mayor Kelly, Mayor Bell, Commissioner Goldberg and Commissioner Gunter. The motion passed with all voting aye.

(Agenda Item 4) Viva Florida 500 – Proclamation

Library Director, JoAnn Glendinning request to make a proclamation to recognize the founder of the corporation of the City of Fruitland Park and to honor him. Determination can be made at a future date.

(Agenda Item 5) Viva Florida 500 – Wildflower Project

Library Director, JoAnn Glendinning stated, boxes of seeds are being sent to every City within the State. The garden is supposed to be dedicated to someone. She is proposing it to be a memorial garden recognizing deceased Commissioner & resident Darrell Martin. Determination can be made at a future date.

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(Agenda Item 6) Viva Florida – Time Capsule

Library Director, JoAnn Glendinning would like guidance from the Commission on what to incorporate in the time capsule. She suggests that a brief history of the City, comment / (letter) from the Commission and a brief outline of future plans for the City. Mayor Bell suggests appointing a citizen to work with Director Glendinning and then bring it back to the table. Director Glendinning stated there is a limited time frame. The deadline is September 19. The time capsule is until 2037 at which time it will be opened at the 100 year centennial celebration of Lake County.

(Agenda Item 7) Appointment of the City Treasurer and / or City Clerk

Interviews of the City Clerk and City Treasurer position were done prior to the regular August 8<sup>th</sup> Commission meeting. An offer was given to the City Clerk.

Community Development Director Charlie Rector requested direction pertaining to the properties adjacent to the Library. He has requested if the Commission would like to proceed in having appraisals performed for both parcels.

It was the consensus of the Commission to proceed with the appraisals of both properties.

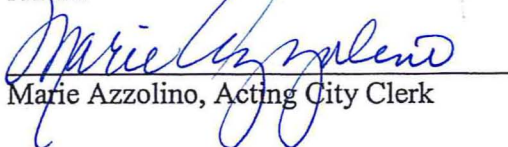
07. COMMISSIONERS' COMMENTS


- a) Vice Mayor Kelly – none
- b) Commissioner Goldberg – none
- c) Commissioner Cheshire – will not be in attendance at the Commission meeting October 24, 2013.
- d) Commissioner Gunter – none

08. MAYOR BELL'S COMMENTS. Mayor Bell and City Manager met with the County Manager and the County Commissioner for our district and discussed the upcoming road project on 466A, intersection on the Hwy, the park and negotiations on the Interlocal agreements. Mayor Bell wanted to recognize The Daily Sun representative and the positive articles they have been printing.

09. ADJOURNMENT. There being no further business to discuss, Commissioner Cheshire moved to adjourn the regular meeting. The meeting adjourned at 8:30 p.m.

Attest:

  
Marie Azzolino, Acting City Clerk

  
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Christopher J. Bell, Mayor