

## FRUITLAND PARK CITY COMMISSION MEETING MINUTES

January 10, 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, January 10, 2013 beginning at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. Pastor Mulford of the Grace Bible Baptist Church delivered the invocation followed by the Pledge of Allegiance led by Vice Mayor Kelly.

ROLL CALL. Mayor Bell asked City Clerk Diane Gibson Smith to call the roll.

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

MUNICIPAL OFFICIALS/OTHERS PRESENT. 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 - none

02. PRESENTATION AND DISCUSSION OF FLORIDA LEAGUE OF CITIES PRIORITIES BY CATHY TILL

Kathy Till of Kathy Till and Associates, is a consultant for the Florida League of Cities. She is updating all cities about the upcoming priorities. They include: Red Light Camera repeal bill to be filed, Speaking at public meetings, Transparency – all contracts be posted on website, Governor is proposing repeal of sales tax on machinery and equipment, Municipal Police officer and Firefighter pension reform to negotiate the plans locally - 1<sup>st</sup> hearing next Thursday on bill already filed, Legislators are asking for support of reform efforts – adopt a resolution, Results of communication services tax task force, Local business tax receipts – make sure legislators know how we use this, Economic development for city, Sober homes issue, Transportation funding – asking to not “rob” this fund, and Synthetic drugs.

Ms. Till stated she is requesting a resolution be passed in the near future supporting Police and Fire Pension Reform.

03. PRESENTED CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN REPORTING TO CITY TREASURER JEANNINE RACINE MICHAUD.

04. APPROVED RATE INCREASE OF 1.72% FOR WASTE MANAGEMENT AND DISCUSSED PLACEMENT OF DUMPSTERS FOR CLEAN-UP DAY

Commissioner Gunter noted the one item citizens discussed with him on the election trail was the destruction of the roads in the cul-de-sacs caused by the big trucks. Chris Beck stated he will take a look at them to see what can be done.

Mayor Bell announced Fruitland Park Clean-up Day is Saturday, March 23, 2013. Meet at Gardenia Park around 8:30 a.m. Lunch is then provided by Waste Management.

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Vice Mayor Kelly moved and Commissioner Goldberg seconded to approve the rate increase for Waste Management. The motion carried with all Commissioners voting aye.

05. APPROVED CONSENT AGENDA AS PRESENTED Mayor Bell presented the Consent Agenda for approval.

Commissioner Gunter moved and Commissioner Cheshire seconded to approve the Consent Agenda as presented. The motion carried with all Commissioners voting aye. The minutes of the December 13, 2012 meeting were approved.

06. CITY ATTORNEY'S REPORT

a) Discussion of resolution of termination of City Manager. CA Gerken explained the process that has been followed thus far. CA Gerken then stated we received a letter today from Mr. Bowers' attorney offering to resign with the condition of receiving all of his vacation time. If you accept the resignation, you do not accept his rationale for resigning in the letter.

Commissioner Cheshire questioned if there is a reason the newspaper receives them before we do. CA Gerken stated he is not sure how they receive them first.

Commissioner Goldberg stated federal laws and guidelines in his letter, do those supersede our policies. CA Gerken stated federal laws do supersede. In this case, we do have limits set on the amount of vacation time allowed when leaving.

Mayor Bell questioned if this would mean additional negotiation. CA Gerken stated yes. As much would be spent on the additional time for the Public Hearing as would be given to Mr. Bowers.

Vice Mayor Kelly moved to reject the letter of resignation from Mr. Bowers. Mayor Bell called for a second. There was none. The motion died for lack of a second.

Commissioner Gunter moved to accept the resignation with the single condition of paying the maximum allowed vacation time without the cap as allowed by City policy. Mayor Bell called for a second. There was none. The motion died for lack of second.

Vice Mayor Kelly moved and Commissioner Goldberg seconded to accept the resignation with the cap on the vacation of not over 160 hours. (i.e. an unconditional resignation) with a decision by Friday January 11, 2013 by 5:00 p.m. or the hearing will be held on January 17, 2013. The motion carried with all the Commissioners voting aye.

b) Tabled Resolution 2012-041 vacating the right of way for Hawks Landing.

Commissioner Cheshire moved and Vice Mayor Kelly seconded to table Resolution 2012-041. The motion carried with all the Commissioners voting aye.

07. ACTING CITY MANAGER'S REPORT

a) ACM Gibson Smith requested ratification of the purchase of the excavator for approximately \$25,000 under State contract.

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Vice Mayor Kelly moved and Commissioner Goldberg seconded to ratify the purchase of the excavator. The motion carried with all the Commissioners voting aye.

- b) ACM Gibson Smith requested ratification of the purchase of new lights at Cales Field for approximately \$4,320.

Commissioner Gunter moved and Commissioner Goldberg seconded to ratify the purchase of the new lights. The motion carried with all the Commissioners voting aye.

- c) ACM Gibson Smith requested additional 40 hours of professional leave time for CT Michaud.

Commissioner Goldberg moved and Commissioner Cheshire seconded to approve 40 hours professional leave time for CT Michaud. The motion carried with all the Commissioners voting aye.

- d) ACM Gibson Smith stated she has a request from the Fire Department for the \$500 scholarship for Explorer Mike Howard to attend Fire School.

Commissioner Gunter moved and Commissioner Goldberg seconded to give the scholarship to Explorer Mike Howard.

Mayor Bell suggested moving the scholarship back from Lake Sumter for the Firefighter program.

- e) Approved request from Ron Howard to donate a bench to be placed on the front lawn. The Commission approved this but requested to approve the bench style.
- f) Lake County contacted us regarding and ISBA done by Lady Lake. CA Gerken stated Lake County is requesting Fruitland Park to approve the Lady Lake ISBA. Lady Lake did keep the traditional line. Greg Beliveau has already sent a letter to Lady Lake approving the ISBA.

Vice Mayor Kelly reminded everyone of the alignment of the trail.

### 08. NEW BUSINESS

- a) Approved agreement with Cross Environmental Services for demolition of the three homes on Fountain Street. Commissioner Goldberg moved and Commissioner Cheshire seconded to approve the agreement with Cross Environmental Services. The motion carried with all the Commissioners voting aye.
- b) Adopted Resolution 2013-001 amending the budget for the receipt of an FDLE Byrne grant. CA Gerken read Resolution 2013-001 by title only, as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BUDGET BY \$4,795 FOR THE RECEIPT OF AN FDLE BYRNE GRANT AND UTILIZATION OF THE FUNDS TO PURCHASE FIREARMS FOR THE POLICE DEPARTMENT, PROVIDING FOR THE AMENDMENT OF THE 2012-2013 BUDGET; PROVIDING FOR AN EFFECTIVE DATE.

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Vice Mayor Kelly questioned if the Police Department was going to have an officer at the school from now on. PC Isaacs stated we are not sure how this will work at this time.

Vice Mayor Kelly requested the cost of placing an officer in the school for the remainder of the year if the County doesn't place one.

Vice Mayor Kelly moved and Commissioner Goldberg seconded to adopt Resolution 2013-001. The roll call vote was as follows:

Mayor Bell	aye
Commissioner Goldberg	aye
Commissioner Cheshire	aye
Commissioner Gunter	aye
Vice Mayor Kelly	aye

- c) Approved promoting an officer to supervisor and giving a \$0.25/hr raise. Police Chief Isaacs stated he is down one supervisor due to resignation of an officer. PC Isaacs stated he wants a supervisor on the road for each shift. To be a supervisor a person must have reached certain milestones.

Commissioner Gunter questioned if other people move up the ranks when one gets promoted to supervisor. PC Isaacs stated he brings other people into the ranks without a promotion. Funding will come from leftover salary funds.

Commissioner Gunter moved and Vice Mayor Kelly seconded to approve the promotion and the raise. The motion carried with all Commissioners voting aye.

## 09. COMMISSIONERS' COMMENTS

- a) Commissioner Cheshire – stated he is looking forward to a good year.
- b) Commissioner Gunter – wish could have ended the City Manager item tonight. He noted there are many potholes within the City. CDD Rector reviewed a few ideas regarding this issue.

Also there appears to be a lot of trash in people's yards for Code Enforcement.

- c) Vice Mayor Kelly – stated she is very unhappy with many things that are going on within the City. She stated some examples.

Commissioner Gunter suggested putting Mr. Rector in as the Public Works Director as well as the Community Development Director. After discussion, the decision was made to allow the new City Manager to make this decision.

CDD Rector spoke in anger against the Acting City Manager.

Commissioner Gunter also noted the Acting City Manager will need to be compensated once the City Manager is gone.

- d) Commissioner Goldberg – stated he is looking forward to much better years.

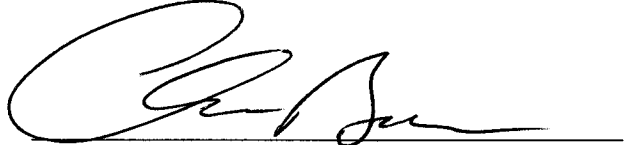
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10. MAYOR BELL'S COMMENTS. Mayor Bell reminded everyone of the possible hearing on January 17, 2013 at 7:00 p.m. Everyone will be contacted as soon as more information is known.

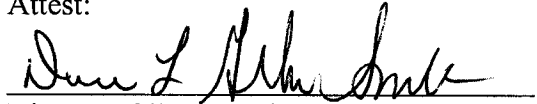
Range Riders is an organization that provides names on retired city managers interested in interim positions. We will go ahead and contact the Range Rider program once we receive the resignation letter.

11. ADJOURNMENT. There being no further business to discuss, Commissioner Cheshire moved to adjourn the regular meeting. The meeting adjourned at 9:05 p.m.



Christopher J. Bell, Mayor

Attest:

  
Diane L. Gibson Smith, CMC, City Clerk