

FRUITLAND PARK CITY COMMISSION MEETING MINUTES

July 12, 2012

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, July 12, 2012 beginning at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE. CM Bowers delivered the invocation followed by the Pledge of Allegiance led by Commissioner Gunter.

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

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

MUNICIPAL OFFICIALS/OTHERS PRESENT. City Manager (CM) Ralph Bowers, Police Chief (PC) Terry Isaacs, Public Works Director (PWD) John Bostic III, City Treasurer (CT) Jeannine Racine Michaud, Community Development Director (CDD) Charlie Rector, and City Clerk (CC) Diane Gibson Smith.

01. CITY ATTORNEY'S REPORT

CA Gerken stated he does not usually attend the meeting to set the proposed millage so he will not be attending next Thursday's meeting. He will be at a conference for Municipal Attorneys.

02. CITY MANAGER'S REPORT

a. Victoria Ave sidewalk – CM Bowers stated he proposes to do this project out of the CRA fund so will present before next regular meeting. All the Commissioners were okay with a 4-foot sidewalk.

b. Well #6 Henry Sheldon's report – CM Bowers reviewed his memo on this topic. He reported he has located the funds by moving the Public Safety Complex into the Capital Improvement Project Fund and then expending those funds for the Glen service line project.

Vice Mayor Richardson question why there is a rush in getting the line in place. CM Bowers stated there is a single feed water source to The Glen and Wingspread. If there is a problem then we must put Well #6 back in production. This may create a number of complaints.

Vice Mayor Richardson again questioned the rush. No double feed has been available for a year.

CM Bowers stated this has been worked on for many months. This is a project from the master plan and we have found the money to move ahead now. If the Commission tells me you don't wish us to move ahead, then that is okay.

Commissioner Gunter stated he is okay with going ahead with the engineering costs on this. We need to see if there is any grant funding for this though. CM Bowers stated he does not believe there are any grants available.

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Commissioner Gunter questioned how long it would take to put Well #6 online in case of a fire. PWD Bostic stated he would need 15 minutes to get here.

Commissioner Gunter noted the Fire Department should have keys to Well 6 to manually turn this on if needed.

CM Bowers stated he does not want a health or safety issue to arise because of this.

Mayor Bell asked if this was tied to the CUP. CM Bowers noted we were asked to take Well 6 off and then add a new well so yes.

Commissioner Kelly moved to take Well #6 out of production except for fire suppression and Commissioner Gunter seconded the motion. The motion carried unanimously with all the Commissioners voting aye.

CM Bowers stated he needs approval on the Pine Ridge Dairy and The Glen line.

Mayor Bell noted this will create a loop system. A discussion on how to move ahead ensued. A drawing of the suggested line was shown.

PWD Bostic noted he is not sure yet how the line will be tied in.

CM Bowers stated we have a verbal commitment to bring down the line to a certain point. Property owner does see the benefits of this project.

CM Bowers stated he will get an idea of permit plans.

CDD Rector stated he did not believe we need permit plans as of yet.

CA Gerken noted we can approve the contract and only approve Task #1 to be done. This includes looking into the easements.

Vice Mayor Richardson moved and Commissioner Goldberg seconded to approve BESH Task #1 only. The motion carried with all the Commissioners voting aye.

c. Road Resurfacing – CM Bowers asked about reinfusing money into CRA funds. CT Michaud stated this could not be done due to timing. CM Bowers questioned if resurfacing roads meets CIP restrictions or not.

Vice Mayor Richardson suggested having paving companies come in to look at the life expectancy of all of our roads.

CM Bowers stated we need to get an ongoing contract with paving company.

CA Gerken noted we have been piggy backing off Leesburg and Lady Lake recently. Most of these projects would fall below the threshold of having to go out to bid. Would not be a bad idea to go out and get an ongoing contract with a local paving company.

CM Bowers stated he is not requesting any action tonight.

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d. Valley Road Drainage Project – CM Bowers stated he has received the preliminary design and showed one of the people affected. The person believes the design may create problems for neighbors so this will go back to the design phase.

05. PUBLIC HEARINGS

a. Removed from table and adopted Ordinance 2012-025 amending Chapter 73 entitled Golf Carts and Low Speed Vehicles. CA Gerken read Ordinance 2012-025, by title only, as follows:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 73 OF THE CITY OF FRUITLAND PARK CODE OF ORDINANCES ENTITLED GOLF CARTS AND LOW SPEED VEHICLES; PROVIDING AGE RESTRICTIONS ON OPERATORS OF GOLF CARTS WITHIN THE CITY; PROVIDING FOR ENFORCEMENT MEASURES; PROVIDING FOR CONFLICT AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Bell requested comments/questions from the Public. There were none.

Commissioner Kelly noted we need to approve everything for the County and then remove as needed.

Chief Isaacs stated Lake County Public Works Director Jim Stivender agreed to all the things on the map but would not give approval in writing. The only two roads he would not agree to golf carts driving on are CR468 and CR466A.

Chief Isaacs stated informational signs are to be put out in certain areas 30 days in advance. Another city may be able to loan these to us.

Vice Mayor Richardson stated he has a problem with the “S” curve on Pine Ridge Dairy.

Commissioner Kelly moved and Commissioner Gunter seconded to adopt Ordinance 2012-025. The roll call vote was as follows:

Commissioner Kelly	Aye
Commissioner Gunter	Aye
Vice Mayor Richardson	Aye
Mayor Bell	Aye
Commissioner Goldberg	Aye

The motion carried unanimously.

06. INTRODUCTION/FIRST READING OF ORDINANCE

a. Approved first reading of Ordinance 2012-026 regarding Code of Ethics. CA Gerken read ordinance 2012-026, by title only, as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING A CODE OF ETHICS FOR CITY COMMISSIONERS PURSUANT TO SECTION 10.02 OF THE CITY’S CHARTER; PROVIDING FOR SANCTIONS FOR VIOLATION OF

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SUCH CODE; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Kelly stated she was the one who requested this ordinance. She stated the penalty amounts have been changed under Section 3 Sanctions. She stated #4 needs to state \$100 for first and not to exceed \$500 for subsequent. She noted there is also nothing about expelling someone from a meeting if control is not attained.

Mayor Bell stated the second portion is up to the discretion of the Mayor. Mayor Bell clarified the fines.

Commissioner Goldberg questioned what other cities impose for fines.

CA Gerken stated a number of cities don't do sanctions so he thought a \$50 fine would do the same as a \$100 fine. CA Gerken stated the sample ordinance also had a part on removal from a meeting which he felt was not necessary to have in this ordinance.

Mayor Bell noted #5 states loss of committee or outside appointment, but he would also like to include inside the city appointment's as well.

Vice Mayor Richardson noted if appointed to a board by the County, the City Commission can't remove that person.

CA Gerken suggested striking out the word "outside".

Vice Mayor Richardson stated he would like to add Commissioners must respond to citizens within 72 hours unless they are out of town. Vice Mayor Richardson stated we also need to uphold and adhere to the Charter.

Mayor Bell stated other types of communication are also acceptable. The Charter is fairly specific.

Vice Mayor Richardson noted it doesn't really matter what is done in this ordinance as everything will automatically be a 4-1 vote. He read "must always keep in mind the concerns of the citizens first."

Commissioner Kelly moved to approve with the fines changed back and strike out the word "outside".

Commissioner Goldberg suggested not putting a time frame down on response.

Mayor Bell called for a second. There was no second so the motion died for lack of a second.

Commissioner Goldberg suggested the fines be kept as they are and not change them.

Commissioner Goldberg moved and Commissioner Kelly seconded to approve first reading of Ordinance 2012-026 with the word "outside" struck out in #5. The roll call vote was as follows:

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Commissioner Goldberg	Aye
Commissioner Kelly	Aye
Commissioner Gunter	Aye
Vice Mayor Richardson	Nay
Mayor Bell	Aye

The motion carried with 4 ayes and one nay.

07. NEW BUSINESS

08. CITIZENS' COMMENTS

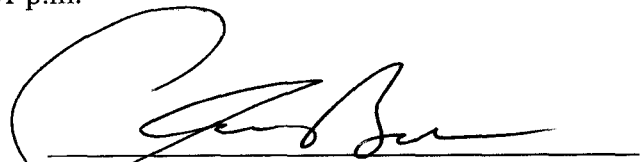
- a. Rita Ranize, a concerned citizen, stated the Commissioners are employed by the citizens and demanded that the Commissioners be given an email address to respond. She recommends a time limit in which to respond to questions and concerns. If a Commissioner does not respond, then they don't need to be in office.
- b. CM Bowers apologized to the Commission and public. He noted the death of a friend has made him very emotional.

09. COMMISSIONERS' COMMENTS

- a. Vice Mayor Richardson - none
- b. Commissioner Gunter - none
- c. Commissioner Kelly - gave her phone number (352-367-3548) for those who wish to contact her. She does not always have internet at her home.
- d. Commissioner Goldberg - none

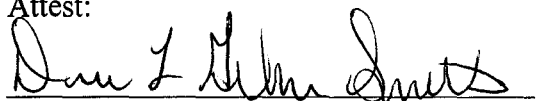
10. MAYOR BELL'S COMMENTS. Mayor Bell reported the upcoming dates. The time for budget workshops was clarified. Budget workshops will begin at 6:00 p.m. Budget books are available to be picked up.

11. ADJOURNMENT. There being no further business to discuss, Commissioner Richardson moved to adjourn. The meeting adjourned at 8:21 p.m.



Christopher J. Bell, Mayor

Attest:



Diane L. Gibson Smith, CMC, City Clerk