

**FRUITLAND PARK CITY COMMISSION REGULAR MEETING  
MINUTES  
September 25, 2014**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, September 26, 2014 at 7:00 p.m.

**Members Present:** Mayor Christopher Bell; Vice Mayor Albert O. Goldberg, Commissioners John L. Gunter, Jr., Christopher Cheshire and Sharon Kelly.

**Also Present:** City Manager Gary La Venia, City Attorney Scott Gerken, Police Chief Terry Isaacs, Police Department Lieutenants Dennis Cutter and Beckie Sirolli; Lieutenant Donald Gilpin, Taylor Luttfiring, Fire Department; City Treasurer Tannette Gayle, Human Resources Administrator/Deputy City Clerk Marie Azzolino, Finance Clerk Susan Parker, Community Development Director Charlie Rector, 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**

On behalf of the city commission, Mayor Bell requested that Commissioner John Gunter and his family are remembered in thoughts and prayers due to the recent passing away of his father whereby a funeral was held earlier this day after which Police Chief Isaacs gave the invocation.

The 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. PROCLAMATIONS**

**(a) *Crime Prevention Month – October 2014***

On behalf of the city commission, Mayor Bell proclaimed October 2014 as ***CRIME PREVENTION MONTH*** in the City of Fruitland Park and urged all citizens, government agencies, public and private institutions, and businesses to invest in the power of prevention and work together to make the city a safer, stronger, and more caring community.

Chief Isaacs accepted the proclamation with appreciation.

**(b) *Fire Prevention Week 2014: October 5-11, 2014***

On behalf of the city commission, Mayor Bell proclaimed week of October 5 to 12, 2014 as ***FIRE PREVENTION WEEK*** in the **City of Fruitland Park**; call upon all citizens and civic organizations to protect their homes and families by heeding the important safety messages of *Fire Prevention Week 2014*, and support the many public safety activities and efforts of Fruitland Park's fire and emergency services.

Fire Chief Whitaker accepted the proclamation with thanks.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A FINAL MILLAGE RATE OF 4.7371 FOR THE CITY OF FRUITLAND PARK, FLORIDA FOR AD VALOREM TAXES FOR FISCAL YEAR 2014-2015; ANNOUNCING THAT THE ADOPTED MILLAGE RATE IS 5.06% HIGHER THAN THE "ROLLED BACK" RATE OF 4.5090; PROVIDING FOR AN EFFECTIVE DATE.

After Mayor Bell cited the proposed budget to be considered at this evening's meeting, the public was called to be heard.

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 Gunter that the city commission adopt Resolution 2014-012 as previously cited.**

**Mayor Bell called for a roll call vote on the motion with the following city commission members voting as follows:**

<b>Commissioner Kelly</b>	<b>Yes</b>
<b>Commissioner Gunter</b>	<b>Yes</b>
<b>Commissioner Cheshire</b>	<b>No</b>
<b>Vice Mayor Goldberg</b>	<b>Yes</b>
<b>Mayor Bell</b>	<b>Yes</b>

**The motion was declared carried on a four to one (4-1) vote.**

- (b) **Public Hearing – Resolution 2014-013 FY 2014-15 – Final Budget Adoption**  
It now being the time advertised to hold a public hearing to consider the adoption of proposed Resolution 2014-013, Mr. Gerken read the title, the substance of which is as follows:

A RESOLUTION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2014-2015; PROVIDING FOR AN EFFECTIVE DATE.

Mr. La Venia reviewed the overall costs involved as outlined in his memorandum dated September 11, 2014; identified the items utilized from the Community Redevelopment Agency and Capital Improvement Program, and explained percentage of the budget and pointed out the city's expenditures and revenue as

depicted in the 2015 budget presentation; copies of which are filed with the supplemental papers to the minutes of this meeting.

At this time, Mayor Bell called for the public to be heard.

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 Vice Mayor Goldberg that the city commission adopt Resolution 2014-013 as previously cited.**

**Mayor Bell called for a roll call vote on the motion with the following city commission members voting as follows:**

<b>Vice Mayor Goldberg</b>	<b>Yes</b>
<b>Commissioner Cheshire</b>	<b>No</b>
<b>Commissioner Gunter</b>	<b>Yes</b>
<b>Commissioner Kelly</b>	<b>Yes</b>
<b>Mayor Bell</b>	<b>Yes</b>

**The motion was declared carried on a four to one (4-1) vote.**

#### **QUASI-JUDICIAL PUBLIC HEARING**

**(c) Second Reading and Quasi-Judicial Public Hearing - Ordinance 2014-021 Rezoning to R-1 – Applicant: William Lawrence Hendry, III (Trustee)**

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2014-021, Mr. Gerken read the title, the substance of which is as follows, swore in those who intended to testify and the public was called to be heard:

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 0.60 ± ACRES OF LAND GENERALLY LOCATED NORTH OF SHORE LINE DRIVE AND WEST OF LAKE MYRTLE BOUELVARD; REZONING THE PROPERTY FROM LAKE COUNTY “RP” (RESIDENTIAL PROFESSIONAL DISTRICT) TO R-1 (SINGLE FAMILY LOW DENSITY DISTRICT ) 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 first reading was held on September 18, 2014.)

Mr. Rector, who was previously sworn, referred to his previous statements before the city commission regarding the applicant's portion of the impact fee of \$985 due to the city if he wants to connect water within the two inch line to his property and the possibility of negotiating the cost, at the city's expense, who would be responsible to connect a water line through his existing property in the city.

Mr. Rector pointed out his conversations with Mr. Bogle and addressed the option to negotiate with the applicant his commitment to modify the easement to allow for future expansion and connect a two-inch water line.

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

After much discussion, **a motion was made by Commissioner Kelly and seconded by Vice Mayor Goldberg that the city commission enact Ordinance 2014-021 as previously cited to become effective immediately.**

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

#### **END OF QUASI-JUDICIAL PUBLIC HEARING**

- (d) **Second Reading and Public Hearing - Ordinance 2014-022 Comprehensive Plan Amendment – North of Shore Line Drive and West of Lake Myrtle Boulevard - Single Family Low Density – Applicant: William Lawrence Hendry, III (Trustee)**

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2014-022, Mr. Gerken read the title, the substance of which is as follows, and the public was called to be heard:

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 COUNTY URBAN MEDIUM DENSITY TO SINGLE FAMILY LOW DENSITY ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 0.60 ± ACRES OF PROPERTY GENERALLY LOCATED

NORTH OF SHORE LINE DRIVE AND WEST OF LAKE MYRTLE BOULEVARD; 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 first reading was held on September 18, 2014.)

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

**A motion was made by Vice Mayor Goldberg and seconded by Commissioner Kelly that the city commission enact Ordinance 2014-022 as previously cited to become effective thirty-one (31) days after adoption by the city commission. (If the ordinance is challenged within thirty (30) days after its adoption, it may not become effective until the state land planning agency or administrative commission, respectively, issues a final order determining that this ordinance is in compliance.)**

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

**(e) Second Reading and Public Hearing – Ordinance 2014-020 Comprehensive Plan Amendment – Villages of Fruitland Park DRI - Applicant: Darrin Taylor, The Villages of Lake-Sumter, Inc.**

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2014-020, Mr. Gerken read the title, the substance of which is as follows, and the public was called to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT TO AMEND OBJECTIVE 1-11, POLICY 1-11.1, AND POLICY 1-11.11 OF THE FUTURE LAND USE ELEMENT ENTITLED ‘THE VILLAGES OF FRUITLAND PARK-DRI’; PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT PURSUANT TO FLORIDA STATUTE 163.3187(1)(C); 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 reading was held on September 18, 2014.)

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

**A motion was made by Vice Mayor Goldberg and seconded by Commissioner Gunter that the city commission enact Ordinance 2014-020 as previously cited to become effective thirty-one (31) days after its adoption by the city commission. (If the ordinance is challenged within thirty (30) days after its adoption, it may not become effective until the state land planning agency or administrative commission, respectively, issues a final order determining that the subject ordinance is in compliance.)**

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

**(f) Public Hearing - Resolution 2014-007 – Villages of Fruitland Park DRI - Development Order First Amendment**

It now being the time advertised to hold a public hearing, Mr. Gerken read the title of proposed Resolution 2014-007, the substance of which is as follows, and the public was called to be heard:

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

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 Gunter that the city commission adopt Resolution 2014-007 as previously cited to become effective upon the effective date of the City of Fruitland Park Comprehensive Plan Amendment adopted to provide for the addition of the twenty-four (24) residential units to The Villages of Fruitland Park Development of Regional Impact, provided, however, the filing of an appeal pursuant to Section 380.07, FS will stay the effectiveness of the subject amendment to the development order.**

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

**7. NEW BUSINESS**

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

**8. OFFICERS' REPORTS**

**(a) City Manager**

- **Fire Chief Retirement Celebration**

Mr. La Venia addressed the plan to hold a retirement ceremony for former Fire Chief Thomas "Tommy" Lee Gamble recognizing his 54 years of service as a member of the fire department to be held at Heritage Community Church on October 6, 2014 at 5:00 p.m., and referred to the press release in this regard; a copy of which is filed with the supplemental papers to the minutes of this meeting.

- **Fruitland Library Expansion RFP**

Mr. La Venia addressed his plan to meet with Mr. Gerken to implement the submittal of request for proposals for the Fruitland Park Library expansion once information is received in this regard.

- **Gateway Community Health Network**

Mr. La Venia referred to the Florida Department of Health in Lake County, Health Education Program's request for a letter of support from the city commission for the Gateway Community Health Network, Inc.'s request to expand health access to the medically underserved in Lake County and for the city residents to continue to have access to a comprehensive dental clinic in Fruitland Park for low income children and adults needing access to oral health services.

**On motion of Commissioner Gunter, seconded by Commissioner Kelly, and unanimously carried, the city commission approved executing a letter of support to expand health access to the medically underserved in Lake County, as previously cited, and work as the network's partner to help the residents maintain or improve their health status.**

**(b) City Attorney**

- **Code Enforcement**

Mr. Gerken referred to a recent foundational meeting among Messrs. La Venia, Rector, Chief Isaacs, Special Magistrate Ashley S. Hunt, and Kevin Stone, Stone and Gerken Law Firm, regarding proceeding with the city's code enforcement process and addressed the intent to provide additional information to Mr. Rector and Chief Isaacs. Mr. Gerken confirmed that no specific cases were discussed; however, Mr. Hunt was in attendance to receive input on the procedures.

- **Police and Fire Service Fees Refunds Update**

Mr. Gerken announced the final week when checks ought to be mailed out to utility customers by Wednesday, October 1, 2014 deadline.

Mr. Gerken reported on the plaintiff's class for additional notices to be sent; staff's disagreement as ample notice was given, and the resolution of same by waiting on the judge's determination. He referred to anticipated issues on completed applications not matching the names of the class; referred to the procedures that the city undertook, and explained that that staff would comply, if notice would be required again.

## 9. COMMISSIONERS' COMMENTS

### (a) Vice Mayor Goldberg

Vice Mayor Goldberg thanked the city commission for its previous action on the letter of support from for the Gateway Community Health Network, Inc.'s request.

### (b) Commissioner Kelly

#### - US 27/441 – Speed Limits

Commissioner Kelly referred to the Lake-Sumter County Metropolitan Planning Organization's previous meeting regarding posted speed limits on US 27/441.

#### - Walking School Bus Program

Commissioner Kelly pointed out the new UCF Walking School Bus program and addressed the need for volunteer groups to regularly walk schoolchildren safely along designated routes within a one-mile radius to their school to relieve some of the burden from schools and traffic congestion.

### (c) Commissioner Cheshire

Commissioner Cheshire stated that he has nothing to report at this time.

### (d) Commissioner Gunter, Jr.

Commissioner Gunter expressed his appreciation, once again, on the support received from the police department and city employees for the funeral services held earlier this day.

## 10. MAYOR'S COMMENTS

### Dates to Remember

- October 1, 2014 – First Compressed Natural Gas Ribbon Cutting;
- October 8, 2014, League of Cities Sponsor's Night;
- October 9, 2014, Regular City Commission Meeting;
- October 23, 2014, Regular City Commission Meeting;
- November 13, 2014, Regular City Commission Meeting;
- December 4, 2014 Library Artist Reception;
- December 5, 2014 Holiday Dinner;
- December 11, 2014 Employee Luncheon, and
- December 12, 2014 "Hometown Christmas"



**By unanimous consent, the city commission agreed:**

- not to meet on November 13, 2014 (due to the Florida League of Cities Conference);
- hold a Special Meeting on November 20, 2014;
- cancel its November 27, 2014 Regular Meeting, and
- hold its Regular Meeting on December 11, 2014.

**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 8:52 p.m.**

The minutes were approved at the regular October 23, 2014 regular meeting.

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

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