

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
September 27, 2018**

A regular meeting of the Fruitland Park City Commission was held at the Community United Methodist Church, 309 College Avenue, Fruitland Park, Florida 34731 on Thursday, September 27, 2018 at 6:00 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr., Commissioners Christopher Bell, and Rick Ranize.

Member Absent: Commissioner Ray Lewis

Also Present: District 1 Commissioner-Elect Pat DeGrave, District 2 Commissioner Candidates John Mobilian and Fred Collins; City Manager Gary La Venia; City Treasurer Jeannine Racine; Interim Police Chief Erik Luce, Executive Assistant Karen McKillips, Sergeant David Brown and Officer Paul Sandbakken, Police Department; Interim Fire Chief Donald Gilpin, Deputy Fire Chief Tim Yoder, Madison Leary, and Lieutenant Michael Howard, Fire Department; Public Works Director Dale Bogle; Community Development Director Tracy Kelley, Administrative Assistant Kelly Turner, Permit Technician Stevie Taub, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order at 6:00 p.m., Overseer Jerry Kingery, Heritage Community Church, gave the invocation and Interim Police Chief Luce led in the Pledge of Allegiance to the Flag.

2. ROLL CALL

At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was declared present.

Mayor Cheshire announced the absence of Commissioner Lewis noting that he is in hospital and offered prayers for him and his family.

Mayor Cheshire announced the decorum for this evening's meeting. Based on the public's questions raised at the September 21, 2018 special meeting, he welcomed the public to contact Ms. Racine and gave a power-point presentation on the following:

- ad valorem taxes (franchise fees, miscellaneous costs, service fees, department budgets as a percentage of the general fund, expenditures, increases) which can be provided to the residents;
- Fruitland Park Police calls for service, and
- Fruitland Park Library expenses \$2,873,233 (noting its operations, interest from various businesses, and programs)

Mayor Cheshire referred to September 25 complimentary letter received from a resident regarding the September 21, 2018 special meeting and addressed the status of the city's

meeting minutes on the website. He pointed out the email dated September 24, 2018 from Mr. Edward Kippel, Villages of Fruitland Park (VOFP) resident, regarding the special meeting and the city's method on electronically sending direct notification by email to all the residents prior to such meetings to which Mayor Cheshire referred to the city's frequently asked questions on the website where interested persons can subscribe to receive notification of meetings. (Copies of the respective documents are filed with the supplemental papers to the minutes of this meeting.)

3. CONSENT AGENDA

On motion of Commissioner Bell, seconded by Commissioner Ranize and unanimously carried, the city commission approved the following consent agenda items:

- (a) August 2, 2018 special meeting minutes and**
- (b) August 2, 2018 workshop minutes.**

4. REGULAR AGENDA

(a) Resolution 2018-060 – LCLC Member-Alternate Appointments

Ms. Geraci-Carver read into the record proposed Resolution 2018-060, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER AND ALTERNATE TO THE LAKE COUNTY LEAGUE OF CITIES, INC.; PROVIDING THE TERM EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

After discussion, **a motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2018-061 as previously cited.**

(b) Resolution 2018-025 Health Plan and Benefits Cafeteria Plan

Ms. Geraci-Carver read into the record proposed Resolution 2018-025, the substance of which is as follows:

A RESOLUTION OF THE CITY OF FRUITLAND PARK, FLORIDA ADOPTING THE CITY OF FRUITLAND PARK CAFETERIA PLAN AS AUTHORIZED UNDER SECTION 125 OF THE INTERNAL REVENUE CODE OF 1986; PROVIDING FOR AN EFFECTIVE DATE.

After some discussion, **a motion was made by Commissioner Ranize and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2018-025 as previously cited.**

Further discussion ensued, and Mr. La Venia identified in response to a question posed by Mr. Gerald “Jerry” Cash, VOFP resident, the city’s insurance providers.

Mayor Cheshire requested a roll call vote on the motion and declared it carried unanimously.

(c) Resolution 2018-057 Utility Rate Study Agreement - BESH

Ms. Geraci-Carver read into the record proposed Resolution 2018-057, the substance of which is as follows

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE CIVIL ENGINEERING SERVICES PROPOSAL/AGREEMENT OR UTILITY RATE STUDY BETWEEN BESH AND THE CITY OF FRUITLAND PARK RELATING TO WATER, WASTEWATER AND STORMWATER UTILITY RATE STUDIES AND PROJECT ADMINISTRATIVE SERVICES CONCERNING TO SAME; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the September 13, 2018 regular meeting.)

Mr. La Venia referred to the city commission’s actions at its September 13, 2018 regular meeting directing him to provide more information on GovRates Inc.’s work performance and reviewed his memorandum of said date which outlined the recommendations from various entities regarding their working experience with Mr. Bryan Mantz, GovRates (formerly from the Public Resources Management Group) and Booth, Ern, Straughan & Hiott (BESH) Inc., (engineering consultants retained by the city). Mr. La Venia relayed the inclusion of the proposed utility rate study contract with the not-to-exceed budget. (A copy of the respective email is filed with the supplemental papers to the minutes of this meeting.)

A motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission adopt Resolution 2018-057 as previously cited

In response to questions posed by Mr. Carl Yauk, VOFP resident, regarding the efficiency of and recommended improvements relating to the operations of the water and wastewater treatment plant (WWTP) and the state or federal guidelines, Mr. La Venia confirmed that part of the utility rate study would include efficiency to be implemented by BESH and the economic portion to be carried out by Gov Rates.

Mr. Yauk questioned the current WWTP, the prior system and previous studies conducted to which Mr. La Venia described the study’s scope, operation for the new facility and the WWTP expansion.

After Mayor Cheshire recognized the city’s first efficiency utility rate study, he recalled the previous nonoperational WWTP conducted by an engineering firm that

the city litigated and prevailed and mentioned the implications as a result noting the need for WWTP at this time.]Commissioner Ranize outlined the city's plans as a result of the increased need (with the completion of the study), to connect said plant to the Town of Lady Lake.

Following Commissioner Ranize' question on the likelihood of additional charges based on restructuring the WWTP, Mr. La Venia indicated, in response, that same would be relayed to the vendor as to whether it would be included in the study. He addressed his intent to inform the vendor of the city's current status; anticipated receiving advice on the city's rates -- which is low and will not impact VOFP residents -- and expected the vendor to review the WWTP's operation; thus, the need for future expansion for residential and commercial and economic opportunities.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

PUBLIC HEARING

(d) First Reading and Public Hearing - Ordinance 2018-018 – Water Rates Increase

Ms. Geraci-Carver read into the record proposed Ordinance 2018-018, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 50, SECTION 50.30(A), (B), (D), OF THE CODE OF ORDINANCES TO PROVIDE FOR AN INCREASE IN WATER RATES BASED ON THE CPI; TO BE EFFECTIVE OCTOBER 1, 2018; PROVIDING FOR SEVERABILITY, PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on October 11, 2018.)

After discussion, a motion was made by Vice Mayor **Gunter** and seconded by **Commissioner Ranize** that the city commission approve proposed Ordinance 2018-018.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(e) Resolution 2018-051 IC International Car Wash - Site Plan – Petitioner: Fruitland Park Holdings LLC

It now being the time advertised to hold public hearing to consider the adoption of proposed Resolution 2018-051 and after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING SITE PLAN APPROVAL FOR CONSTRUCTION OF A CARWASH FACILITY LOCATED ON U.S. HIGHWAY 441/17 WITH ADDITIONAL ACCESS ON S. DIXIE AVENUE IN FRUITLAND PARK, FLORIDA; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE

Ms. Kelly described the subject vacant property and the review process conducted by the Technical Review Committee and Planning and Zoning Board; noted the comments from the county that construction is conditional upon receiving a right-of-way (ROW) permit for a sidewalk along CR 25A and Dixie Avenue and recognized Mr. Rick Hartenstien's presence at this evening's meeting who is aware of said conditions.

Ms. Kelly pointed out the review conducted by LPG Urban Planners Inc. (consultants retained by the city) who identified the one-way variance of 14 feet; explained that staff has no issues with same which have been accepted by Interim Fire Chief Gilpin and Mr. Judd Right, Fire Official and relayed staff's recommendation of approval.

In response to inquiries posed by Vice Mayor Gunter relating to access on Dixie Avenue, Mr. Rick Hartenstein project manager Wicks Engineering, he identified the tree coverages, the secondary access with Mattress Firm and the main entrance on US Highway 27/441.

Ms. Kelly explained that she has not researched whether the lot would be adequate to build on as it is to remain as nonuse and indicated that she can provide the city commission with information on stormwater.

Mr. Hartenstein pointed out, in answer to Commissioner Bell's inquiry, that they would be able to complete a unity of title on the area along the edge of stormwater where access encroaches a portion of the lot as they have no intention of developing same.

A motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission adopt Resolution 2018-051 as previously cited.

After discussion, Ms. Nancy Miller, Villages of Fruitland Park (VOFP), noted the water rates and previous problems addressed relating to water and wastewater, and the percentage of reclaimed water, she questioned the type of studies conducted.

In response, Mr. Hartenstein explained that no impact studies for water and wastewater were required. He explained in answer to questions posed by

Commissioner Ranize that the proposed use is connected to the city's WWTP and relayed information that such capacity is enough.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(f) Resolution 2018-061 Village Park (aka Westminster Pine Ridge) Phase II - Roadway and Utility Development – Site Plan: Petitioner: Presbyterian Retirement Communities, Inc.

It now being the time advertised to hold public hearing to consider the adoption of proposed Resolution 2018-061 and after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING SITE PLAN APPROVAL FOR CONSTRUCTION OF AN ENTRANCE ROAD TO THE VILLAGE PARK DEVELOPMENT LOCATED ON CR466A IN FRUITLAND PARK, FLORIDA; PROVIDING FOR CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Kelly reviewed the proposed application; acknowledged the presence of Mr. Greg Crawford, Florida Engineering Group Inc. representing Westminster Pine Ridge; noted that the required site approval improvements of a 1,000 feet of entrance road to The Village Park development and addressed the following:

- the proposed roadway is to be constructed in two phases; namely traffic exiting the property and based on LPG Urban Planners' review, the period when the second lane is to be constructed;
- the county's compliance requirements for Westminster Pine Ridge/CR 466A roadway improvements and entranceway into the subject development and
- prior to commencing construction, the submission of a web plain permit according to the city's certified flood plain manager;

In response to Commissioner Ranize' inquiry on the second roadway, Mr. Crawford addressed the plan in adopting, with the city, the addition of two phases for the portion of the roadway to the entrance road and mentioned LPG's acceptance at that time for phase 1; however, it would not qualify as an entrance road. With respect to the entrance road, Mr. Crawford recognized the portion to be removed as two-lane roadway at a certain time -- where the four lanes up to the roundabout would be for the entrance road -- and the remainder to be built at a later date; relayed LPG's previous concerns on the traffic ingress and egress and mentioned that Florida Engineering is waiting on approval on same.

Mr. Crawford agreed, in the affirmative to Commissioner Ranize' statements and in response to Mr. La Venia on:

- the change from the two lanes, in-and-out, to four lanes (two going in and two going out) westbound and when the roadway opens, there would be a turn lane for westbound traffic;
- working with the county on the stages for the ROW permit;
- implementing the a left-turn lane and striping the roadway for the eastbound traffic as a dedicated right-turn-lane into the proposed project with approval from the county and
- the plan to discuss later with the county the initial spacing adjustments and if warranted in future, traffic signals would be adequately situated based on the county's requirements.

After discussion, Mr. Crawford explained that the First Baptist Church's interest would be connected to the proposed roundabout which would allow future connections. He indicated that a date has not yet been established for the roadway extension south from said roundabout.

A motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission adopt Resolution 2018-061 as previously cited to include, as recommended by the city attorney, the conditions as agreed to by the petitioner representing the applicant, to submit the application and meet Lake County's permit requirements as previously cited.

In response to an inquiry posed by Mr. Kippel, Ms. Kelly depicted the location of the proposed roundabout in the subject area.

Mr. Art Aryis, representing First Baptist Church Inc, expressed his gratitude to Mayor Cheshire, Mr. La Venia and Mses. Geraci-Carver and Kelly. He explained in response to Commissioner Ranize' question on the clearing of the dirt and that the commercial development is not yet sold. He relayed his commitment to make improvements in the area and indicated that he met with county representatives and resolved the issue relating to the turning lanes.

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.

(g) Second Reading and Public Hearing Resolution 2018-058 – FY 2018-019 Budget – Final Millage Rate

It now being the time advertised to hold public hearing to consider the adoption of proposed Resolution 2018-058 and after Ms. Geraci-Carver read into the record the following title and announced FY 2018-19 operating budget rate of 3.9134 representing a zero percent increase or decrease to the current year roll-back rate of 3.9134 same rate for last year, Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A FINAL OPERATING MILLAGE RATE OF 3.9134 LEVYING OF AD VALOREM TAXES FOR LAKE COUNTY FOR FISCAL YEAR 2018-2019; PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Commissioner Bell, seconded by Vice Mayor Gunter that the city commission adopt Resolution 2018-058 as previously cited.

Mr. Ron Cullum, VOFP resident, referred to the city commission's previous presentation regarding its growth plan to attract commercial businesses, the imminent media report on the city's reduction in its tax rate, and the city's future placement which he believes is a recipe for demise.

Mr. Ray Dal Lago, VOFP resident, pointed out the question raised at the September 21, 2018 special meeting on the number of law enforcement officers assigned to the VOFP; his calculations on the amount VOFP residents would be assessed and the discussions on the state's responsibility.

Mr. Dal Lago addressed the city's surplus in Community Redevelopment Agency (CRA) funds and questioned the reduction in property taxes in that regard. He pointed out the funding for the addition to the new Fruitland Park Library and requested that the city not expend all its funds. Mr. Lago mentioned the residents' desire to contribute and become part of the community; addressed the difficulty in understanding all the funds and expressed concerns on the implications where he believes is due to a lack of economic, commercial and industrial infrastructure.

In response to Mayor Cheshire's suggestion for Mr. Dal Lago to contact Ms. Racine for more clarification and recognized that the CRA funds are restricted, he mentioned the consideration to petition the state legislature for VOFP to opt out of the city.

Mr. John Kinion, VOFP resident, questioned the budgetary figures and revenues received for FYs 2017-18 and 2018-19; the anticipated percentage in increases for FY 2018-19, and the percentage paid in employees' salaries for their benefits.

In response, Mayor Cheshire and Mr. La Venia explained that Ms. Racine will provide more information.

Mr. Gary Drake, VOFP resident, requested explanation on the roll-back rate; relayed his calculations on the same revenue received and income from FY 2017-18 to be 2.90721. He noted the proposed 3.66 percent rate which he believed would increase per capita \$60 for The VOFP residents, half a million increase over last year.

At Mayor Cheshire's request, Ms. Racine outlined the roll-back rate and the State of Florida Department of Revenue's calculations based on funds coming in which is subtracted from the CRA and new construction. In questioning whether said calculation is available on the city's website, Ms. Racine addressed her plan to forward same to Mr. Drake.

Ms. Racine and Mr. La Venia confirmed in the affirmative to a question posed by Mr. David Wegner, VOFP, that new construction is excluded. He referred to his recent purchase of a home prior to construction and noted the large increase in revenue to be associated in that regard to which Ms. Racine depicted the calculations; responded to his inquiry identifying the funds which is outlined in the FY 2018-19 Budget Summary and addressed her plan to provide a copy of same.

Mr. Kippel pointed out his observations from the public appearing before the city commission with expertise who may be able to provide advice. He questioned whether consideration has been given to create committees with volunteers willing to work with the community and help the city commission. He expressed his support of the concept in inviting and convincing businesses to operate in the city.

Mr. Kippel suggested that the individuals present -- who are running for city commission district seats 2 and the candidate-elect for city commission district 1 to -- introduce themselves before the end of this evening's meeting.

In response, Mayor Cheshire, in recognizing the city's committees, encouraged individuals to serve on agency boards where there are vacancies that are advertised; recognized the limited applications received, and addressed the city's solicitation for people to serve on same. He addressed the possibility of creating a steering committee in the future.

Mr. Mike Waltervitz, VOFP resident, referred to the 15-year study mentioned at the September 21, 2018 special meeting and recognized the comments on the need for commercial growth. He suggested the implementation of outlook projections on the city's increased revenue; addressed the need for forward vision to provide sustainability within the community and recommended looking at the city's potential for attracting commercial growth as its revenue base such as the city establishing an Economic Development Committee. In agreeing with Mr. Waltervitz' comments, Mayor Cheshire and Mr. La Venia indicated that staff is currently working on implementing same.

After Vice Mayor Gutner addressed the city's previous attempts in retaining an individual to solicit firms to the city and gave reasons for the city's limitations on the development of properties, Mayor Cheshire, in deviating from same, pointed out interviews that Mr. La Venia and himself had with interested companies to assist with economic development and growth; noted the plan to give presentations (before the new elected officials serve on the commission) after November 2018 and mentioned the opportunity for the public to bring such concerns to the new

commission. He agreed with Mr. La Venia's suggestion, if it is the desire, that the formulation of an Economic Development Committee would be welcomed.

In response, Mr. Waltervitz' emphasized the need for the commission to consider, as a priority, on how the city would work on the development of a future growth projection plan instead of having debates at budget workshop meetings.

Ms. Linda M. Ulatowski, VOFP resident, recognized, based on the number of issues raised by residents at this evening's meeting, Ms. Racine's plans to provide responses and inquired whether answers to the public's questions would be accessible on the city's website as they would not be included in the minutes.

Mayor Cheshire in agreement confirmed Ms. Coulson's response that she and Ms. Racine will make the answers available.

Ms. Pattie Drake, VOFP resident, addressed Chapter 252, Florida Statutes and 401b-2.011, Florida Administrative Code regarding the availability of library grants program fund requirements and the State of Florida Department of State Construction Grant Guidelines establishing unconditional use of funds exclusive to the library and cited the following from a document:

- for the community in need, how square footage of a population would determine the size and type of library that would qualify for federal, or in the subject case, state grant money (page 12);
- who a project manager is (the applicant's building consult and not a library director) (page 18);
- architectural supervision requirements ensuring that completed work conforms with approved plans and job specification from the prints/architectural drawing for the job (page 19);
- noting few changes in the library, change orders to be submitted as a budgeted category (raising of the roof for \$500,000 was excluded); the need for project audits under subsection 215.917, FS, and records retention for all financial payments relating to the grant project (page 20);
- rate change guidelines in the project scope (page 21), and
- consequences for violating agreement terms and how allowable funds can be used (page 23).

Ms. Drake gave her opinion that library spending is out of control; referred to the calculations in her possession including infrastructure and change orders to be almost \$3.4 million; requested transparency as she believes there is lack of accountability from the city and questioned whether grants used complied with Florida Statutes.

After Ms. Geraci-Carver addressed, at Mayor Cheshire's request, how the city had met the compliance requirements under applicable laws, he disagreed with Ms. Drake's interjection referencing that the city commission indicated that the

architect was terminated. He reiterated that Ms. Drake meet with Mr. La Venia, Mses. Geraci-Carver and Racine with her documents regarding her concerns on the library to which she explained that the county with its interlocal agreement can audit same.

In response to Ms. Drake's concerns, Ms. Racine indicated that the county can audit the city and all the figures for accuracy and details relating to the library can be made available and Mr. La Venia described the change order already outlined in the procurement documents and the contract.

In disagreeing with Ms. Drake's statements on the cost of the roof, Mr. La Venia explained that staff can find out more information. He indicated that grant documentation has been provided and funds received from the state and explained that the architect, overseeing the project, has been attending periodical meetings with participants involved on every phase of the project.

Answering Ms. Drake's request on the further need for transparency, Mayor Cheshire repeated staff's willingness to meet with her and would make the information available.

Mr. Jim Lagrone, VOFP resident, mentioned his review of the city's budget for the last three years addressed at the September 21, 2018 special meeting; questioned the exact cost for the library and referred to the information on the residents' analysis and figures demonstrated on the chart which were provided to the city commission at that time which was disagreed to by Ms. Racine. He estimated the cost for the library to be \$3.92 million which he described as percentages on a three-year project and inquired on its future costs and funds to make it operational. Mr. Lagrone pointed out the issues relating to purchasing new and utilizing existing furniture and noted the inquiries raised at the special meeting were not addressed.

In response, Mayor Cheshire referred to his presentation made earlier in this evening's meeting on the total cost where said document was not yet available before the meeting and could be provided to the residents. He addressed the ability for Ms. Racine to meet with Mr. Lagrone as well as Ms. Drake and review the figures.

With respect to Mr. Lagrone's inquiries on the additional costs for the library, its status and anticipated date of completion, Mr. La Venia explained that it is almost 85 percent complete.

Mr. Dale Bogle, Public Works Department Director, outlined his work on the library earlier this day and gave a detailed report on the status of construction to be about 85 percent complete with the expectancy to be occupied after Thanksgiving.

After Mr. La Venia confirmed, in response to Mr. Lagrone's questions, the additional 15 percent for the library to be already allocated in proposed FY 2018-

19 budget; the \$300,000 in capital improvement program (CIP) funds for the library furniture to be a separate matter and the old library furniture shelving donated by another library is in storage, Mr. Bogle verified the library furniture in the public works department building to be shelving previously donated by the City of Clermont and roundtables and chairs by the City of Mount Dora which have deteriorated. He suggested that Fruitland Park Library Director Ms. JoAnn Glendinning would be able to demonstrate the condition of same.

Mayor Cheshire voiced his agreement that the library furniture (part of the CIP from sales tax) was based on an approved grant that was previously revised to construction and addressed the need for approval of the furniture to be considered at a future date before the commission. He voiced concerns on the costs, addressed recently by the residents, where he was informed that it derived from a state contract and addressed the need to obtain more bids and carefully review same based on the library's needs.

Vice Mayor Gunter relayed his previous discussions with Ms. Glendinning on the amounts involved; her comments on the vendor she contacted and her attempts in applying for another grant previously entailed which was subsequently denied whereby such arrangement with the vendor would need to be reviewed before it is considered by the city commission.

Mr. Cash thanked Mayor Cheshire for the previous decorum whereby public outbursts should not condoned. Mr. Cash recognized that homes in VOFB are increasing monthly which produces gross revenues greater than last year. He recommended the consideration of a one-year further roll back in the millage rate to equate to the same amount of gross revenue in FY 2017-18 for this time of year where the city would be able to generate the influx of retail stores and wholesale outlets.

In response to questions posed by Mr. Don Brozick, VOFB resident, regarding the library, Ms. Racine explained that \$2.5 million is currently allocated in the proposed FY 2018-19 budget revenues based on grant funds and impact fees which will be utilized and recognized that \$273,000 earmarked towards furniture and landscaping is not included.

Mayor Cheshire confirmed that said expense would come from CIP and sales surtax tax or anything else that would not be coming out of the ad valorem taxes and suggested, in response to Mr. Brozick's concerns regarding the numbers and the implications, to review same with staff.

Answering an inquiry from Mr. Ben Dividio, VOFB resident, regarding any item in FY 2018-019 proposed budget which is a one-time expenditure where it would not be repeated or budgeted in the following year, Mayor Cheshire confirmed Mr. La Venia's statements that there would be a reduction due to the CIP and the school resource officer with the possibility of the Lake County Sheriff assuming control.

With maintaining the same millage rate and the primarily residential growth, Mr. Dividio questioned the generation of new funding for FY 2019-20 to maintain the same level of service as expenditure (with the roll back rate) in the operating budget.

Mayor Cheshire referred to his statements made at the last meeting and addressed his preference for the city not to become fiscally overblown. In noting the city's growth over the years and where it needs to be, he addressed the desire for stabilization and mentioned that there should not be any more needed expenses except usual increases to which Vice Mayor Gunter concurred.

In recognizing no new funding from residential or commercial growth and the challenge without having an impact on property taxes, Mr. Dividio noted if the property he owns is comparable, taxes would be less (excluding the bond) and expressed concerns if they continue to increase.

Mayor Cheshire referred to his presentation made at the September 21, 2018 special meeting that the city is one component of the residents' taxes and anticipated that there would be success with the county on lowering same for the betterment of the entire residents.

Vice Mayor Gunter noted the majority of responses received from the residents who gestured in the affirmative on the filing of their homestead exemptions with the county; anticipated that the November 6, 2018 election ballot (one of Florida's 12th Constitutional Amendments) on the increased homestead property tax exemption (which he intends to vote for) and addressed his concerns on the future implications to the city as it would result in reductions in local government ad valorem tax revenues in 2019, if said amendment passes.

Mr. Yauk referenced the cost incurred by cities and the water crisis (lead in the water service lines) that occurred in the City of Flint in Michigan. With reference to the water rate study that the city will be conducting, he questioned the water analysis, the type of lead pipe tap connection from the street to the homes in the older part of the city and whether it has been reviewed for replacement and the services been updated.

In response, Mr. Bogle confirmed that the frost lines no longer exist and that the city has no lead in its ground; described the type of line polyvinyl chloride pipe the city has which he is working on to replace and update services where there will not be a lead problem and pointed out the city's periodical requirements for implementation. He reported that every five years, the city is required to implement a lead copper survey which was carried out two years ago and referred to the satisfactory results on the Annual Drinking Water Quality Report received from the State of Florida's Department of Environment Protection (FDEP).

Mr. Yauk alluded to his inquiry raised at the September 21, 2018 special meeting regarding the franchise fee and pointed out the copy of the October 10, 1983 Electric Franchise Agreement with the City of Leesburg. He questioned the initiation of the tax, if it was approved by city voters and why it is so high and pointed out, within the agreement, the purchase option to buy the utilities (which he thinks is not a good idea) and determined the reason for the city having the tax is to generate funds so that in future, purchase of the facility could be made.

Mr. Yauk explained that since the VOFP moved in, the franchise fee is an additional \$300,000 per annum expense and mentioned his review of same over FY s 2013-17 to which Ms. Racine explained that it had increased last year as the city was not paid for the prior year.

Mayor Cheshire in agreement addressed the need to closely review and deal with same.

Mr. Yauk recognized the different methods in which the city could grow and identified the various industrial companies right for the area who could be attracted if it was desirable taxwise.

By unanimous consent, Mayor Cheshire closed the public hearing.

Mayor Cheshire called for a roll call vote on the motion on the floor to adopt the previously cited Resolution 2018-058 and declared it carried unanimously carried.

(h) Second Reading and Public Hearing Resolution 2018-059 – FY 2018-019 Budget – Final Adoption

It now being the time advertised to hold public hearing to consider the adoption of proposed Resolution 2018-059 and after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2018-2019; PROVIDING FOR AN EFFECTIVE DATE.

After Mr. La Venia's brief explanation on the approval of the final budget, **a motion was made Commissioner Bell and seconded by Vice Mayor Gutner that the city commission adopt Resolution 2018-019 as previously cited.**

After discussion, Mr. Ron Cullum, VOFP resident, referred to the question raised at the September 21, 2018 special meeting regarding the contingency fund and his concurrence on the commission's need for same. He suggested transferring such funds to a separate line item upon the commission's discretion where the

contingency can be justified whenever there is an issue and during the year, money would be left over by reducing the budget or transfer same to a specific fund.

In response, Ms. Racine confirmed that such funds are not in the general fund, cannot be combined and are identified within the finance department.

After discussion on the requirements of CRA expenditures, Mr. Vance Jochim, The Villages resident, referred to the comments made at the September 21, 2018 special meeting and earlier this evening on employees not paying any contributions in increases in health insurance to which Mr. La Venia responded that the employee portion is 100 percent.

Mr. Jochim mentioned his experience in working with auditing group health insurance firms and the results of the research conducted where employees were required to contribute 20 percent; recommended including in the city's plan when renegotiating the insurance rates, and gave a report on his experience with reduced insurance costs as a result of the change.

By unanimous consent, Mayor Cheshire closed the public hearing.

Mayor Cheshire called for a roll call vote on the motion on the floor to adopt the previously cited Resolution 2018-058 with the following city commission members voting as follows:

Commissioner Bell	Yes
Commissioner Ranize	No
Vice Mayor Gunter	Yes
Mayor Cheshire	Yes

The motion was declared carried on a three to one (3-1) vote.

END OF PUBLIC HEARING

5. OFFICERS' REPORTS

(a) City Manager

Mr. La Venia stated that he has nothing to report at this time.

(b) City Attorney

Ms. Geraci-Carver stated that she has nothing to report at this time.

6. PUBLIC COMMENTS

With reference to the public comments at previous meetings, Mr. Waltervitz pointed out the city's website and suggested that responses to public's requests to the city not be sent by email to individuals but allow specific information to be accessible by creating a page on the website.

Mayor Cheshire relayed Ms. Coulson's response on finding a way to implement same.

Mr. Jochim recommended establishing a process committee to brainstorm issues with the residents which would help improve the relationship with the commission; hold a workshop to identify a list of city services that many residents do not believe they should be paying for and create a separate taxing district or a rebate program in that regard to which Mayor Cheshire voiced his concurrence with his first recommendation.

In response to a question raised by Mr. Leland Hubbell, City of Fruitland Park resident, Mr. La Venia reported on the Code Enforcement/Special Magistrate's order of enforcement on the Florida Medical Industries Inc. property located on 3131 US Highway 27/441 at its April 5, 2018 meeting and his subsequent discussion with the respondent representing the property owner and Ms. Lori Davis, Code Enforcement Officer.

Mr. La Venia confirmed that the building has been cleaned up where no further action is required from FDEP; gave a report on the various liens and continuous fines imposed on the property by different creditors including the city and conveyed the respondent's inability to satisfy same. He addressed the need for the city to review a financial mechanism even though it does not have the means and noted that if the building is transferred and the creditors satisfied, the city would be able to market the site and recover the proceeds from the sale.

After Interim Police Chief Luce responded to Mr. Kippel's inquiry describing the law enforcement officers' shifts, he explained that based on previous discussions, that his belief of excessive personnel has been allayed to which Mayor Cheshire indicated that riding with the officers for a day provides a different experience on what they go through.

At the request of Mr. Ron Nob, VOFP, and Mayor Cheshire, Mr. Mobilian introduced himself before the city commission and anticipated that the public vote for him; expressed appreciation for their help and wished Commissioner Lewis well.

7. COMMISSIONERS' COMMENTS

(a) Commissioner Ranize

i. Commissioner Lewis

Commissioner Ranize extended well wishes to Commissioner Lewis.

ii. FRS

Commissioner Ranize referred to the September 24, 2018 email received from Ms. Geraci-Carver regarding the Florida Retirement System Matter relating to former Police Chief Michael Fewless and suggested that the third-party contract (to retain him) continue to be pursued.

iii Presentation

Ms. Racine responded in the affirmative to Commissioner Ranize's inquiry that the approximate \$700,000 in the general fund for fire services are from ad valorem and the fire assessment is part of the general revenue.

Commissioner Ranize recognized, within the three years, the plan, reviews and development of homes before the city commission and the roadway improvements that the county has been working on for 25 years. He questioned the advent of commercial businesses noting that the subject roadway construction is deterring customers and recognized the city with the lowest tax rate competing with the surrounding local governments who can roll back which he believes the city ought to review.

iv. Electrical Franchise Fees

Commissioner Ranize relayed his request to the City of Leesburg for the electric franchise fees and the service commission to approve same and addressed his intent to provide the answer once it is obtained.

v. Fruitland Park Library

Commissioner Ranize addressed his unawareness of the library book store and cafeteria which was never addressed before the city commission; relayed Ms. Coulson's response to his request that records relating to same cannot be found and voiced his concerns on the origin of said issue.

Commissioner Ranize addressed his appreciation of the public's input; addressed the city's efforts and suggested that the public attend meetings if they want to be educated.

(b) Commissioner Lewis

Due to Commissioner Lewis' absence, there were no comments at this time.

(c) Commissioner Bell

Commissioner Bell mentioned his former position as mayor and the implementation of the *Coffee with the Mayor* event and recalled the city commission's discussions with the Town of Lady Lake prior to influx of the VOFP development. He relayed the VOFP residents' main issue of volunteerism; mentioned the opportunities available and alluded to the recommendation for the residents to make themselves known at the library and the schools and invited them to participate, as suggested by Mayor Cheshire, by filling available vacancies on various boards and committees. Commissioner Bell pointed out the Lake Legislative Days to be held in Tallahassee in February 2019; reported on the success in attaining funds for the city's roadway improvements and encouraged the public to become involved by contacting him for more information, if interested.

(d) Vice Mayor Gunter, Jr.

Vice Mayor Gunter thanked the residents for appearing and providing their input at this evening's meeting, concurred with the commission's previous comments encouraging residents to volunteer to serve on boards and committees and suggested that if there are changes required, the commission will review same.

Vice Mayor Gunter described the forthcoming and periodical city-related events; noted that with the input from additional residents, positive changes can take place and expressed appreciation with the public's efforts.

8. MAYOR'S COMMENTS

(a) Volunteerism

In residing and working within the community, Mayor Cheshire recognized the approach to transform the neighborhood noting the positives; voiced his concurrence with the residents' previous remarks and anticipated future changes noting the number of ideas received. Recognizing the part time role of the elected officials, he identified the opportunities available for residents who can be of tremendous help by providing their support in volunteering which would eliminate costs in services. He encouraged anyone with specific questions to meet with Mr. La Venia and Ms. Racine.

(b) Dates to Remember

Mayor Cheshire recognized the following events:

- October 3, 2018, Lake County League of Cities (LCLC) *Sponsor's Night*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 6:00 p.m.;
- October 11, 2018, City Commission Regular at 6:00 p.m. - Mayor Cheshire addressed the need for the city to continue to provide additional communication equipment; namely television sets, audio speakers) to accommodate the public and indicated that Ms. Geraci-Carver would ensure same in order that individuals can be seen and heard.
- October 12, 2018, LCLC *Fertilizer Ordinance Presentation*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.;
- October 12, 2018, *Movie on the Lawn, Hod*, City Hall Lawn at 7:00 p.m.- Mayor Cheshire encouraged the public and their families to attend;
- October 20, 2018, *Trick or Trot 5k Family Fun Run*, Fruitland Park Elementary School, 304 West Fountain Street, Fruitland Park, Florida at 8:00 a.m.;
- October 24, 2018, Lake-Sumter MPO Governing Board Meeting, 225 W Guava Street, #217, Lady Lake, Florida 32159 at 2:00 p.m. - Mayor Cheshire addressed the need for another representative to serve or members of the public to attend to same and report back to the commission;
- October 25, 2018, City Commission Regular at 6:00 p.m.;
- October 31, 2018, Halloween at 6:00 p.m.

- November 3, 2018, Government Day, Dwight D. Eisenhower Recreation Center, The Villages, Florida 32163 at 9:00 a.m. – Mayor Cheshire reported on the attendance by Mr. La Venia, Ms. Racine, Mr. Bogle and himself at the November 4, 2017 Government Day and anticipated that staff would be available to similarly answer any questions.
- November 5, 2018, Parks, Recreation and Trails Advisory Board, Library Services Conference Room, 2401 Woodlea Road, Tavares, FL 32778 at 3:30 p.m.;
- November 6, 2018, General Elections at 7:00 a.m.;
- November 8, 2018, City Commission Regular

Upon Mayor Cheshire's suggestion and by unanimous consent, the city commission accepted the request of the John Gella Memorial Unit (Florida American Legion Post 219) to hold the 6th Annual Wreaths Across America Ceremony at Shiloh Cemetery on Saturday, December 15, 2018 at noon.

Mayor Cheshire recognized the cemetery fund and the annual event where veterans and nonveterans are invited to place wreaths on veterans' graves at the city's cemetery and encouraged everyone to attend.

9. **ADJOURNMENT**

The meeting adjourned at 8:38 p.m.

The minutes were approved at the January 10, 2019 regular meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Chris Cheshire, Mayor