

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
January 26, 2017**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 26, 2017 at 6:00 p.m.

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

**Also Present:** City Manager Gary La Venia, City Attorney Anita Geraci-Carver, City Treasurer; Jeannine Michaud-Racine; Police Chief Michael A. Fewless; Interim Fire Chief Don Gilpin; Lieutenant Tim Yoder, Firefighters Chris Lewis, Andrew Hall, Madison Leary, Andrew Hall, and Sean Parker, Fire Department; Community Development Director Charlie Rector, Public Works Director Dale Bogle; Deputy City Treasurer Sue Parker, Ruthie Barker, and City Clerk Esther B. Coulson.

**1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

Reverend Chuck Padgett, Trinity Assembly of God, gave the invocation and Police Chief Fewless led in the Pledge of Allegiance to the flag, Mayor Cheshire called the meeting to order at 6:00 p.m.

**2. ROLL CALL**

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

**3. CONSENT AGENDA**

**On motion of Commissioner Ranize, seconded by Commissioner Bell and unanimously carried, the city commission approval the minutes of January 12, 2017 as submitted.**

**By unanimous consent, the city commission recessed its meeting at 6:02 p.m. to the Local Planning Agency and reconvened at 6:16 p.m.**

**4. LOCAL PLANNING AGENCY**

**5. REGULAR AGENDA**

**(a) Website Design**

The city commission considered its action to approve staff's recommendation to select from proposals to design, develop and implement the City of Fruitland Park's website from aHa Consulting (a Municode Company currently contracting with the city) for \$6,000 plus \$1,200 a year and CivicPlus (piggyback contract) for \$24,730, excluding annual service fees at \$5,184.

After Ms. Coulson highlighted the features of a proposed website, Commissioner Ranize requested simplicity; the ability for the website to dial telephone numbers

to staff, and the option to utilize additional features at a later date; Commissioner Lewis addressed his priority list for citizens' reverse notifications, announcements and important information on future events, and Mayor Cheshire emphasized the need for citizens to be informed.

**A motion was made by Commissioner Lewis and seconded by Commissioner Ranize that the city commission accept staff's recommendation to approve aHa Consulting Inc. to design, develop and implement the city's website for \$6,000 plus \$1,200 a year.**

In response to Ms. Coulson's inquiry, Ms. Geraci-Carver explained that a resolution will be drafted with the proposed contract for consideration on the next agenda.

**Mayor Cheshire called for vote on the motion and declared it carried unanimously.**

**(b) Auditing Services**

Ms. Kelly Leary, McDirmit Davis, CPA, gave her brief background and experience and anticipated the following audit services to:

- commence within the next month;
- submit to the Government Finance Officers Association before the March 31 deadline which, due to the late start, will be in early February 2017;
- get the draft audit report late February or March 2017, and
- conduct the audit by working around the finance department's schedule in compliance with the city's budget and Florida Statutes.

**i. Award – RFP Auditing Services**

**On motion of Commissioner Ranize, seconded by Vice Mayor Gunter and unanimously carried, the city commission accepted the Audit Committee's recommendations to award the Request for Proposals for Auditing Services to McDirmit Davis, CPA, as the highest-ranked qualified firm.**

**ii. Resolution 2017-009 – Auditing Services - McDirmit Davis Agreement**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2017-009, the substance of which is follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE AGREEMENT MCDIRMIT DAVIS AND THE CITY OF FRUITLAND PARK, FLORIDA TO PROVIDE AUDITING SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2017-009 as previously cited.**

After discussion, Ms. Geraci-Carver explained that she will draft a resolution to sunset the committee for the city commission's consideration for the next meeting.

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

**(c) Credit Card Vendor - Online Payment System**

The city commission considered its action to select and approve a credit card vendor.

Ms. Michaud-Racine referred to the city commission's approval of Govolutions at its December 8, 2016 regular meeting and noted the credit card merchant not allowing the city to pass the cost to the customer; thus, the city commission's preference to not bear the costs. She reviewed and made comparisons of the online payment flat rates offered by credit card vendors Elavon Inc. and Govolution LLC and gave reasons why she is recommending Evalon due to their percentage flat fee and the high percentage of customers' utility monthly bills that are below \$50.

After further discussion and **on motion of Commissioner Bell, seconded by Commissioner Lewis and unanimously carried, the city commission approved staff's recommendation to retain a contract with Evalon Inc. as the credit card online vendor.**

**(d) Infinity Fitness**

Mr. La Venia discussed the proposed agreement from Infinity Fitness and Spa Inc. to provide corporate fitness memberships for up to 50 city employees at a base rate of \$2,000 per annum equating to \$3.30 monthly.

After discussion, Mr. La Venia agreed with the city commission's suggestion to conduct a survey among staff, and if warranted, the proposed agreement will be placed on the next agenda for consideration.

**(e) Fruitland Park Public Library – Roofing**

The city commission considered staff's recommendation of approval to select from three proposals the removal and installation of a roof on the building of the Fruitland Park Library from: Eustis Roofing Company for \$27,000; McHale Roofing Inc. for \$22,175, and Dan Shepler Roofing for \$21,757.

After discussion, Mr. Bogle gave a report on the poor condition of the Fruitland Park Library's roof; addressed the public works department's ability to conduct repairs, and reviewed the vendors' proposals. He relayed the comments from the

vendors' spokespersons on the roof's poor condition; the life-expectancy of the shingles which are cheaper and currently available, and the vendors' responses on the cost of the metal roof.

After Commissioner Lewis conveyed his previous discussions with Ms. Geraci-Carver regarding his disclosure of a potential conflict of interest as a result of his business relationship with one of the vendors, Ms. Coulson explained that she will be providing him with Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers for completion and execution.

Commissioner Ranize' posed a question on the elimination of some of the projects earmarked in the FY 2017-18 budget and the utilization of capital improvement program (CIP) projects.

Mr. Rector explained his disagreement with the remarks the companies' spokespersons made to Mr. Bogle regarding the metal roof; outlined reasons why said companies do not specialize in same, and suggested that he would communicate with Mr. Bogle on other companies that meet such requirements and report back at the next meeting.

After Vice Mayor Gunter suggested including in FY 2017-18 budget the addition of a kitchen to the existing Fruitland Park Library and postponing the subject item to work on the roof at the same time, Mr. Rector explained that after Senatore Inc. submits the new Fruitland Park Library construction drawings to the mechanical engineers, he will be able to provide a conceptual plan to add a kitchen and storage facility to the existing library, similar to the work conducted on the Moyer Recreation Center in The Villages.

Following further discussion and **on motion of Commissioner Ranize, seconded by Vice Mayor Gunter and unanimously carried, the city commission postponed its action to select from three proposals the removal and installation of a roof on the building of the Fruitland Park Library from: Eustis Roofing Company for \$27,000; McHale Roofing Inc. for \$22,175, and Dan Shepler Roofing for \$21,757 and accepted staff's recommendation to provide for FY 2017—18 the total cost of roof repairs and the old Fruitland Park Library's conceptual drawings from Senatore Inc..**

**(f) First Reading – Ordinance 2017-011 – Local Truck Traffic Movement Regulations**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2017-011, the substance of which is follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONTROLLING AND REGULATING TRAFFIC MOVEMENT BY DESIGNATING CERTAIN STREETS TO ONLY ALLOW LOCAL TRUCK

TRAFFIC AND NOT THROUGH TRUCK TRAFFIC, SPECIFICALLY HICKORY AVENUE, MAPLE STREET, AND ELM AVENUE; PROVIDING FOR DIRECTIONS AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT HEREIN; SETTING AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

After recognizing the title reflecting that Oak Street be stricken, Mr. Rector indicated that the streets should reflect *Maple Avenue* and not *Maple Street*.

Chief Fewless referred to the program *Walking Wednesdays* -- the afternoon walks in Fruitland Park promoted by the police department. He reported that approximately a month ago, Lieutenant Erik D. Luce, Police Department, and himself knocked on residents' doors on Hickory Street who informed him of the near distance of truck traffic -- using said thoroughfare to Miller Street -- to juveniles walking on said roadway towards the bus stop. He relayed the residents' requests to take action as it relates to the old regulatory sign "no thru trucks allowed" posted on the roadway and asked that the city commission apply measures on stringent enforcement of same.

After Mayor Cheshire recalled the city commission's discussions at its January 12, 2017 regular meeting and in response to Commissioner Ranize's inquiry, Chief Fewless conveyed the residents' concerns on the overweight trucks and the infraction to the proposed ordinance.

**A motion was made by Vice Mayor Gunter and seconded by Commissioner Lewis that the city commission approve Ordinance 2017-011 as previously cited.**

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

**(g) First Reading – Ordinance 2017-012 –Traffic Yield Sign**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2017-011, the substance of which is follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONTROLLING AND REGULATING TRAFFIC MOVEMENT BY INSTALLING A YIELD SIGN ON BIDWELL STREET TO REQUIRE TRAFFIC ON BIDWELL STREET TO YIELD TO TRAFFIC ON WILLARD AVENUE; PROVIDING FOR DIRECTIONS AND ENFORCEMENT; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PORTIONS OF

ORDINANCES IN CONFLICT HEREIN; SETTING AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

Chief Fewless referred to the photograph illustrating the three-corner intersection at Willard Avenue and Bidwell Street; recognized the matter which was brought to his attention on the potential safety issues due to the lack of traffic control, and suggested that a warning notice such as a yield sign be placed in the area. (A copy the photograph of said area is filed with the supplemental papers to the minutes of this meeting.)

**A motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the city commission approve proposed Ordinance 2017-012 as previously cited.**

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

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

Upon the city attorney's request and by unanimous consent, the city commission considered the following quasi-judicial items out of order on this evening's agenda.

**(j) First Reading – Quasi-Judicial Public Hearing – Ordinance 2017-005 – Boundary Amendment - Petitioner: Gamble Family Revocable Trust**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2017-005, the substance of which is follows:

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 0.31 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; 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 DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

Ms. Geraci-Carver swore in Mr. Rector who testified on the subject item that he addressed at the Land Planning Agency's earlier this evening.

There were no comments from the public at this time.

**A motion was made by Commissioner Ranize, seconded by Commissioner Bell that the city commission approve the LPA's recommendations of approval on proposed Ordinance 2017-005.**

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

- (h) First Reading – Quasi-Judicial Public Hearing – Ordinance 2017-006 - Comprehensive Plan – Petitioner: Gamble Family Revocable Trust**  
Ms. Geraci-Carver read into the record the title of proposed Ordinance 2017-006, the substance of which is follows:

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 LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 0.31± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

Mr. Rector, who was previously sworn, acknowledged the subject item that was addressed at the Land Planning Agency's earlier this evening.

There were no comments from the public at this time.

**A motion was made by Commissioner Ranize, seconded by Commissioner Bell that the city commission approve the LPA's recommendations of approval on proposed Ordinance 2017-006.**

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

- (i) First Reading – Quasi-Judicial Public Hearing – Ordinance 2017-007 – Rezoning - Petitioner: Gamble Family Revocable Trust**  
Ms. Geraci-Carver read into the record the title of proposed Ordinance 2017-007, the substance of which is follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.31 ± ACRES OF THE PROPERTY FROM LAKE COUNTY MIXED RESIDENTIAL DISTRICT (R-7) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

Mr. Rector, who was previously sworn, acknowledged the subject item that was addressed at the Land Planning Agency's earlier this evening.

There were no comments from the public at this time.

**A motion was made by Commissioner Ranize, seconded by Vice Mayor Gunter that the city commission approve the LPA's recommendations of approval on proposed Ordinance 2017-007.**

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

**(m) First Reading – Quasi-Judicial Public Hearing – Ordinance 2017-009 – Petitioner: Humble Investments Inc. – Boundary Amendment**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2017-009, the substance of which is follows:

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 0.37 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; 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 DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)



Mr. Rector, who was previously sworn, acknowledged the subject item that was addressed at the Land Planning Agency's earlier this evening.

There were no comments from the public at this time.

**A motion was made by Commissioner Ranize, seconded by Commissioner Lewis that the city commission approve the LPA's recommendations of approval on proposed Ordinance 2017-007.**

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

**(k) First Reading – Quasi-Judicial Public Hearing – Ordinance 2017-010 – Comprehensive Plan Amendment – Petitioner: Humble Investments Inc.**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2017-010, the substance of which is follows:

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 LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 0.37± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

Mr. Rector, who was previously sworn, acknowledged the subject item that was addressed at the Land Planning Agency's earlier this evening.

There were no comments from the public at this time.

**A motion was made by Commissioner Lewis, seconded by Vice Mayor Gunter that the city commission approve the LPA's recommendations of approval on proposed Ordinance 2017-010.**

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

**(l) First Reading – Quasi-Judicial Public Hearing – Ordinance 2017-008 – Rezoning – Petitioner: Humble Investments Inc.**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2017-009, the substance of which is follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.37 ± ACRES OF THE PROPERTY FROM LAKE COUNTY MIXED RESIDENTIAL DISTRICT (R-7) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be on February 23, 2017.)

Mr. Rector, who was previously sworn, acknowledged the subject item that was addressed at the Land Planning Agency's earlier this evening.

There were no comments from the public at this time.

**A motion was made by Commissioner Ranize, seconded by Vice Mayor Gunter that the city commission approve the LPA's recommendations of approval on proposed Ordinance 2017-008.**

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

**By unanimous consent, Mayor Cheshire opened the public hearings.**

**(n) Second Reading and Public Hearing – Quasi-Judicial Public Hearing - Ordinance 2017-002 – Boundary Amendment – CR 466A and E Lake Josephine Drive – Petitioner: SEMS Property Owners LLC**

It now being the time advertised to hold public hearing to consider the enactment of proposed Ordinance 2017-002, Ms. Geraci-Carver read into the record the title, the substance of which is follows, and Mayor Cheshire called for the public 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 0.33 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; 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 DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on January 12, 2017.)

Mr. Rector, who was previously sworn, described the proposed use.

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

**A motion was made by Commissioner Bell and seconded by Commissioner Lewis that the city commission enact Ordinance 2017-002 as previously cited to become effective immediately as provided by law.**

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

**(o) Second Reading and Public Hearing – Quasi-Judicial Public Hearing - Ordinance 2017-003 – Comprehensive Plan Amendment - 0.33± Acres – Urban Low to Commercial - Petitioner: SEMS Property Owners LLC**

It now being the time advertised to hold public hearing to consider the enactment of proposed Ordinance 2017-003, Ms. Geraci-Carver read into the record the title, the substance of which is follows, and Mayor Cheshire called for the public 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 LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 0.33± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND EAST OF LAKE JOSEPHINE DRIVE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on January 12, 2017.)

Mr. Rector, who was previously sworn, described the proposed use.

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

**A motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission enact Ordinance 2017-003 as previously cited to become effective thirty-one (31) days after its adoption by the city commission. If this 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 Cheshire called for a roll call vote on the motion and declared it carried unanimously.**

**(p) Second Reading and Public Hearing – Quasi-Judicial Public Hearing - Ordinance 2017-004 – Rezoning– R-7-C-1- Petitioner: SEMS Property Owners LLC**

It now being the time advertised to hold public hearing to consider the enactment of proposed Ordinance 2017-004, Ms. Geraci-Carver read into the record the title, the substance of which is follows, and Mayor Cheshire called for the public to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.33 ± ACRES OF THE PROPERTY FROM LAKE COUNTY MIXED RESIDENTIAL DISTRICT (R-7) TO NEIGHBORHOOD COMMERCIAL (C-1) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on January 12, 2017.)

Mr. Rector, who was previously sworn, described the proposed use.

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

**A motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the city commission enact Ordinance 2017-004 as previously cited to become effective immediately upon the effective date of the comprehensive plan amendment for the subject property. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.**

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

**END OF QUASI-JUDICIAL PUBLIC HEARING**

**PUBLIC HEARING**

**(q) Public Hearing - Resolution 2017-007 – Setback Buffer Standards – N CR 466A and W Rose Street – Petitioner: Sunshine Properties & Rentals Inc.**

It now being the time advertised to hold public hearing to consider the enactment of proposed Ordinance 2017-007, Ms. Geraci-Carver read into the record the title, the substance of which is follows, and Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATION (LDR) REQUIREMENTS PERTAINING TO SETBACK AND BUFFER STANDARDS FROM 15' TO 10', ON THE SUBJECT PROPERTY LOCATED NORTH OF CR 466A AND WEST OF ROSE STREET AND OWNED BY SUNSHINE PROPERTIES & RENTALS, INC., PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rector referred to the subject property owned by Mr. and Mrs. Patricia Pospisil, Sunshine Properties & Rentals, Inc., and recognized their presence at this evening's meeting together with Mr. Keith Riddle, Riddle-Newman Engineering Inc.

Mr. Rector described the proposed use along CR 466A; relayed the applicant's request of 7,500 feet of commercial space with the possibility of a restaurant at the rear 10 feet landscape buffer, and conveyed the Planning and Zoning Board's recommendation of approval. He indicated that no complaints were received from the notices sent to the surrounding property owners in this regard except one telephone call from a resident abutting the property regarding the installation of a fence when oncoming vehicles' lights enters on to the property and the installation of a fence.

After further discussion and there being no one from the public **Mayor Cheshire , by unanimous consent, Mayor Cheshire closed the public hearing.**

**A motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the city commission adopted Resolution 2017-007 as previously cited.**

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

(r) **Public Hearing - Resolution 2017-008 – Setback Buffer Standards – N CR 466A and E Micro Racetrack Road – Petitioner: Carrie Ross Blevins**

It now being the time advertised to hold public hearing to consider the enactment of proposed Ordinance 2017-004, Ms. Geraci-Carver read into the record the title, the substance of which is follows, and Mayor Cheshire called for the public to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATION (LDR) REQUIREMENTS PERTAINING TO SETBACK AND BUFFER STANDARDS, USES WITHIN A BUFFER AND NUMBER OF UNINTERRUPTED PARKING SPACES ON THE SUBJECT PROPERTY LOCATED NORTH OF CR 466A AND EAST OF MICRO RACETRACK ROAD AND OWNED BY CARRIE ROSS BLEVINS, PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rector pointed out the subject property which was previously annexed and recognized the presence of the petitioner, Ms. Carrie Ross Blevins and Mr. Riddle at this evening's meeting.

Mr. Rector described the subject project and explained Ms. Blevins' request for four variances; conveyed the conditions outlined by Mr. Greg Beliveau, LPG Urban and Regional Planners, Inc., retained by the city, that the entire front of the property be *excessively landscaped* subject to the architectural standards that the city previously adopted, and relayed Mr. Ross' concurrence to same.

Mr. Rector pointed out the applicant's request for 13 consecutive parking spaces, as stipulated under Chapter 164 of the city's code of ordinances which relates to the uninterrupted parking spaces and the 15 feet rear setback for a dumpster. He indicated that Mr. Riddle has a general layout of the building which will be presented before the city commission for consideration at a later date. If the variance is acceptable, Mr. Rector expressed the petitioner's desire to proceed, and confirmed that no calls or responses were received as a result of the notification sent to the surrounding property owners.

After discussion, the city commission reviewed a map of the conceptual layout and site data copies of which were included with the supplemental papers to the minutes of this meeting.

Mr. Riddle relayed the petitioner's request of Resolution 2017-008 previously alluded to by Ms. Geraci-Carver earlier.

**A motion was made by Vice Mayor Gunter and seconded by Commissioner Lewis that the city commission adopt the previously cited Resolution 2017-008 with staff's recommendations.**

After Vice Mayor Gutner suggested that county be contacted to determine whether they have a maintenance plan for CR 466A roadway, Commissioner Ranize mentioned his intent to address same under his report later in this evening's agenda.

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

### **END OF PUBLIC HEARING**

#### **6. NEW BUSINESS**

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

#### **7. PUBLIC COMMENTS**

Mr. Peter Hurtt, City of Fruitland Park resident, stated that since he has not been attending previous city commission meetings, he extended well wishes to Mayor Cheshire. With respect to Commissioner Bell, he requested that those present publicly recognize his former role as mayor and his love for the city.

In response, Mayor Bell thanked him for the comments and the city commission indicated that Mr. Hurtt was missed.

Mr. Paul Frost, City of Fruitland Park resident, referred to the following:

- website design - approved earlier in this meeting where he checked with local companies who wanted to provide such service for more costs and another who refused to participate, to which Mayor Cheshire and Mr. La Venia addressed the plug-in feature to other city programs;
- Fruitland Park Library – where he is looking for uniformity;
- the *City of Fruitland Park* sign - displayed in the commission chambers ought to be changed, and
- the city elected officials' presence at the previous Fire Services Advisory Committee (FSAC) meetings where he expressed his gratitude;

#### **8. OFFICERS' REPORTS**

##### **(a) City Manager**

##### **i. Public Works Building**

Mr. La Venia indicated that staff is ready to commence with the design of the public works building and stressed the need to select a site which was addressed at the January 12, 2017 regular meeting. He suggested that the

city commission, when making its decision, locate at the water wastewater treatment plant (WWTP) as a viable location and noted the estimated cost of \$90,000 to build on the site.

**By unanimous consent the city commission recessed its meeting at 7:45 p.m. and reconvened at 7:58 p.m.**

**ii. Community Development Department Director**

**o CR 466A/Capital Lift Station, Infrastructure Improvements and WWTP Connections**

Mr. Rector referred to a meeting held on January 23, 2017 with representatives from Booth, Ern, Straughan & Hoitt Inc. (BESH), (traffic engineers retained by the city); Rainey Construction Company and The Villages; where details are being worked out on the placement of the Capital Lift Station on CR 466A. He reported on the resolution on the additional room for the stockpiling of dirt due to the lift station's diameter; the permission obtained from Mr. A. Gamble, property owner, for the city to use his property, and the temporary construction easement that was resolved.

Mr. Rector referred to the impacts to traffic and the installation of detour routes due to infrastructure improvements on Poinsettia Avenue towards the s-curve; outlined the maintenance of traffic plans received from the traffic engineers, and addressed the anticipated time periods to fulfill said project. He pointed out the burial grounds issue around Spring Lake Road and explained the WWTP connections, once established, would be completed within the time frame.

With respect to the WWTP connection line to the Town of Lady Lake, Mr. Rector outlined CSX Real Property Inc.'s request for approximately \$77,000 for right-of-way (ROW) property where the monitoring station would be located. He described his negotiations with the land owner who would permit a 20-foot construction easement to Lake Eller Road and BESH's current survey of the new route to be included in the utility easement. Mr. Rector explained the refusal to accept payment from the city for the ROW provided the city implement similar work offered on northern section by means of an impact fee credit and a five-year agreement while homes are constructed and connected to the WWTP valid for seven years.

After discussion, Mr. Rector reported on the topographical route survey for the Fruitland Park Library and the water connection to Veterans Park route which BESH is undertaking and is currently underway. He described the architect's need to commence with the next step of library drawings, the plans involved to acquire additional parking spaces and the city center.



Mr. Rector responded to Commissioner Bell's remarks on the church's call to him; the recent findings of connecting water to the pond which was not declared a retention area where it noted to be an increasing problem for the church. Mr. Rector mentioned the route and engineering currently being conducted; the ability for staff to determine -- after the soil boring and the conduct of sampling test due to the proximity of the water -- the likelihood of placing the retention pond underneath the tennis court which, according to Mr. Duane Booth, BESH, is a problem if the connection is to the drainage ditch to the pavilion. In anticipating that said work would be complete by the end of the week, Mr. Rector explained that the size would be known and a decision made on the library and future public safety building.

Mr. Rector conveyed his conversations with Mr. La Venia to delay the ball field lighting to determine how much retention area would be required with the tennis court as the most desirable location.

Later in the meeting, and in response to Commissioner Ranize' inquiry, Mr. Rector anticipated Mr. Wayne Goodrich, property owner, surrendering to the city the utility easement on his front property line as a setback requirement; noted that his property is being surveyed, and relayed his desire, in response, to not lose the trees on Berckman Street and bring the drawings to resolve the issue.

In answering Commissioner Bell's inquiry, Mr. Rector noted the four-month time frame anticipated for work to commence on the WWTP connection to the Town of Lady Lake.

○ **Fruitland Park Library Construction Plans**

Mr. Rector referred to his conversations on January 25, 2017 with Mr. Jamie Senatore, Senaore Inc., who anticipated the following:

- End of March 2017, availability of the Fruitland Park Library Construction plan;
- April 13, 2017 plan to be considered before the city commission at its regular meeting;
- April 2017, Fruitland Park Library Contractor (advertisement would be made from the plan) a pre-bid meeting to be held in the commission chambers;
- May 19, 2017 proposals for a contractor on the Fruitland Park Library Construction;

- June 22, 2017 proposals to be considered before the city commission; and
- July 20, 2017, after approval, construction work would proceed.

Mr. Rector indicated that the site work, parking lots, drainage and so forth would be performed by BESH; outlined the options of procuring the subject project, and noted the city commission's discretion in that regard.

Later in the meeting and in response to Mr. La Venia's inquiry, Mr. Rector identified the plans to utilize ample spaces for the proposed parking and the addition of the kitchen at the 207 West Berckman Street and the existing Fruitland Park Library.

○ **Stormwater**

Based on the city commission's approval of the Sunshine Property, earlier on this evening's agenda, Mr. Rector pointed out Ms. Ross' retention of an architect and the desire to immediately commence on the stormwater work. He described the two-story building; reported that the property owners are cognizant of the new architectural standards. Mr. Rector noted the imminent execution of the contract with the developer for the non-church portion of the property concentrating on the infrastructure to support plans to phase-in and subsequently expand (on Pine Ridge Dairy Road) three to five-story independent living and assisted living buildings, and a nursing facility with some single family homes.

Mr. Rector relayed meetings he had with Mr. Beliveau and the developer where an understanding was reached that Pine Ridge Dairy Road would need to be paved and brought up to standard.

Mr. Rector reported on the church's plans to commence with the development of a 20-acre property including constructing a building of its own facility with parking with the target date of August 2017 and the retention of Mr. "Bobby" Robert E. Farner, Barley and Associates Inc., (civil engineering and surveying firm), as their engineer.

With reference to Savannah Oaks property who owes the city funds, Mr. Rector relayed his meeting with their engineer, Mr. Riddle, and noted their retention of AgeWave Solutions, Inc., architect in The Villages (who are currently drawing the plans of buildings west of Micro Race Track Road which have been reviewed by the city's Building Official Jeff Gerling).

Mr. Rector described the invoicing procedures when he was employed in 2010; recalled former City Manager Ralph Bowers' authorization to BESH to complete engineering work for which he was paid (the original property owner did not pay the city), and former City Attorney Scott Gerken's advice that a lien could not be placed on the property as it was, at that time too late. Mr. Rector stated that he previously relayed the conversation to Mr. La Venia where the debt was acknowledged at the January 19, 2017 closing with the agreement to pay \$20,000 to the city when reapplying with the permit application together with the fees and the other payment of \$20,000 to be made at a later date.

○ **Soccer Field Drawings – Northwest Lake Community Park**

Mr. Rector distributed and reviewed the map of the football/soccer field drawings for Northwest Lake Community Park from BESH required for Lake County's long term master plan and conveyed Parks and Recreation Director Ms. Michelle Yoder's preference for same, a copy of which is filed with the supplemental papers to the minutes of this meeting.

If agreeable by the city commission, Mr. Rector concurred with Mr. La Venia's suggestion to forward the subject map to Mr. Roberto Bobby" Bonilla, Lake County Public Works Department, Parks and Trails Division Manager.

Mr. La Venia relayed the previous meeting held among Messrs. Bonilla, Rector, and himself, with Vice Mayor Gunter present, on the city's requirements for the project to proceed with the grant for a soccer field as part of the 10-year plan which include:

- a colored rendering of the Northwest Lake Community Park,
- the city's narrative on the county's preference for a community park consisting of 50 acres or a reasonable park of 100 acres;
- the size;
- the city's desire over the next 10 years; and
- a partnership between the Town of Lady Lake and the City of Fruitland Park

After Vice Mayor Gunter recollected the conversations on the county's Parks, Recreation and Trails Advisory Board holding workshops representing the commission districts, Commissioner Bell, who serves on the advisory board, recalled the county's first master plan for the parks consisting of a community park between City of Leesburg and the

Town of Lady Lake; the identification in the plan of Canes Field as the location for the Northwest Lake Community Park, and the process of updating and redeveloping same whereby meetings are being in each district with one to be held at the City of Fruitland Park in March 2017.

After much discussion, a motion was made by Commissioner Lewis and seconded by Commissioner Ranize that the city commission approve staff's recommendation authorizing the city's engineers, Booth, Ern, Straughan & Hoitt Inc., to prepare the colored rendering of the football/soccer field drawing for Northwest Lake Community Park to submit to Lake County Public Works Department, Parks and Trails Division Manager.

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

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

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

The city commission acknowledged that changes can be made during the process and discussed the removal of the rock at Canes Field.

○ **Code Enforcement**

Mr. Rector commended Ms. Lori Davis, Code Enforcement Officer, on her performance and gave statistical information on the code enforcement cases noting the citations issued on all properties which are in bad condition.

○ **Permits**

Mr. Rector reported -- based on his request to Mr. Gerling to provide from the Community Development Department's trakit system -- the following:

1,567	permits for single family residents in Fruitland Park since The Villages' began;
1,530	permits for single family homes,
1,345	certificates of occupancy received; however, figures for homes sold were not available;
3,700	total permits issued to date;

300 percent increase	in permits issued for after-market homes in The Villages;
\$317,101	water impact fees paid;
\$647,253	police impact fees paid;
\$1,046,334	fire impact fees paid;
\$530,239,800	total value of single family homes;
\$535,170,000	total The Villages construction, and
\$550,000,000	of which \$15,000,000 bonafide Fruitland Pak since January 25, 2017.

**(b) City Attorney**

**i. Fire Assessment Adoption Proposed Schedule**

Ms. Geraci-Carver referred to the city commission's request at its January 12, 2017 regular meeting and reviewed the proposed schedule for the fire assessment, if the city commission decides to impose one on the tax bill.

Ms. Geraci-Carver pointed out her communication with Ms. Sandi Wilson, Government Services Group Inc., consultant retained by the city who conducted the fire assessment study; noted Ms. Wilson's assistance with her on the dates, and relayed Ms. Smith's concurrence with the non-ad valorem assessments on trim notice agreement with the Lake County Property Appraiser's Office where the notices will be prepared as opposed to first-class mailing of same to property owners in the historic Fruitland Park and The Villages.

After Mayor Cheshire noted Mr. Rector's previous remarks; questioned the fire assessment due to the potential rate increase in future institutional uses, and inquired whether the city would be charging more for fire assessment, Ms. Geraci-Carver explained that the assessment study would need to be updated.

Reference was made to Mr. Rector's statements regarding police and fire impact fees and equipment purchase to which Ms. Geraci-Carver believed could be utilized to accommodate the additional capacity by growth. She indicated that she would research same.

**ii. International Property Maintenance Code (Ordinance 2011-001)**

Ms. Geraci-Carver referred to the International Property Maintenance Code previously adopted by the city in 2011 which changes every three years and believed that the city commission may consider revising same at its future meeting after review from Ms. Lori Davis, Code Enforcement Officer, and addressed her intent to meet with Mr. Rector in that regard.

9. **COMMISSIONERS' COMMENTS**

(a) **Commissioner Ranize**

i. **Roadway Improvements**

Commissioner Ranize addressed the need for the city to make roadway improvements on CR 466A and recognized that Mr. La Venia's letters dated December 28, 2016 to the Lake County Manager received no response.

With respect to commencing roadwork on Poinsettia Avenue, Commissioner Ranize questioned sending notification to residents notifying them of said roadway closures by means of the city's website, utility bill announcements and so forth.

ii. **Casino Building**

After Commissioner Ranize expressed appreciation to Mr. Rector on his report given earlier this evening, he recognized that the Casino building's recent demolition yielded no telephone calls.

(b) **Commissioner Lewis**

i. **Variance Request**

Commissioner Ranize referred to the variance request adopted earlier at this evening's meeting under Item 5.(q), (Public Hearing - Resolution 2017-007 – Setback Buffer Standards – N CR 466A and W Rose Street – Petitioner: Sunshine Properties & Rentals Inc.) and questioned whether the fence would resolve the issue.

ii. **FRS**

Commissioner Lewis pointed out a previous overview presented before the city commission from former Certified Public Account Chet Ross, Shumacker, Johnston and Ross P.A., regarding Florida Retirement System's (FRS's) deficit, its unfunded liability, and the city's unrestricted reserves.

After much discussion, Ms. Geraci-Carver explained that she would find out, in response to questions posed by Commissioner Lewis, on how the city, as a member, could withdraw from the FRS.

(c) **Commissioner Bell**

i. **Community Development Department Director Reports**

Commissioner Bell thanked Mr. Rector for a job well done on the reports he presented earlier this evening before the city commission.

ii. **2017 Lake Legislative Days**

Commissioner Bell stated that he is looking forward to attending the 2017 Lake Legislative Days in Tallahassee on February 15 and 16, 2017.

(d) **Vice Mayor Gunter, Jr.**

i. **Casino Demolition**

Vice Mayor Gunter referred to the demolition of the casino on January 25, 2017; indicated that he has received no calls or negative responses, and recognized the sign on the property "Future Home of the Library".

ii. **FSAC**

After Vice Mayor Gunter recognized the imminent completion of the FSAC meetings and addressed the need for the city commission to consider its fire assessment as soon as possible, Commissioner Lewis, in concurrence, pointed out the county's fire rescue public safety department's power-point presentation at the January 24, 2017 FSAC meeting noting the county's scheduled milestones with the March 2017 date.

Mr. La Venia indicated, in response to Vice Mayor Gunter's request, that Ms. Wilson will be appearing before the FSAC at the beginning of February 2017 to review the figures on the fire services assessment.

10. **MAYOR'S COMMENTS**

(a) **FSAC**

Mayor Cheshire noted the public's assertions at the January 24, 2017 FSAC, in the presence of the county staff, on information being withheld; recognized the committee's fair assessment of the issues; and addressed the its purpose before making a decision.

(b) **Dates to Remember**

Mayor Cheshire referred to the following events:

- **January 27, 2017** – Movie on the Lawn *Stork*, City Hall at 6:00 p.m.
- **February 5 to 10, 2017** - the brochure on the *Love Week* events (including the February 11, 2017 *5k* at City Hall at 8:00 a.m.) was distributed for the record and filed with the supplemental papers to the minutes of this meeting.
- **February 9, 2017** – Regular Commission Meeting at 6:00 p.m.  
After discussion and **on motion of Commissioner Ranize, seconded by Commissioner Bell and unanimously carried, the city commission cancelled its regular commission meeting.**
- **February 22, 2017** - Lake~Sumter MPO Governing Board Meeting at 2:00 p.m.

- **February 15 and 16, 2017** – 2017 Lake Legislative Days in Tallahassee at 12:00 p.m.
- **February 23, 2017** - Regular Commission Meeting at 6:00 p.m.
- **March 9, 2017** – Regular Commission Meeting at 6:00 p.m.
- **March 18, 2017** – *Fruitland Park Beautification Day* City Hall at 10:00 a.m.  
After Mayor Cheshire requested that the cement street signs be painted and restored, Mr. La Venia suggested that the Boys Scouts and Operation Bless Fruitland Park could embark on same as a project with assistance from the public works department to repair the broken signs.
- **March 23, 2017** - Regular Commission Meeting at 6:00 p.m.

**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 9:30 p.m.**

The minutes were approved at the February 23, 2017 regular meeting.

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

Signed \_\_\_\_\_  
Chris Cheshire, Mayor