FRUITLAND PARK CITY COMMISSION REGULAR MEETING MINUTES
June 12, 2025

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731, on Thursday, June 12, 2025, at 6:00 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor Patrick DeGrave, and Commissioner Joseph "Joey" Cosenza

Members Absent: Seats for Districts 2 and 5 are currently vacant.

Also Present: City Manager Karen Manila, Acting City Attorney Sandy Minkoff, City Treasurer Gary Bachmann, Deputy Director of Finance Kimberly Gehrke, Public Works Director Robb Dicus, Interim Police Chief Henry Rains, Interim Community Development Director Michael Rankin, Administrative Manager Sharon Williams, Permit Tech I Brenda Sigala, and City Clerk Gwen Johns

Total Attendance: 32

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

After Mayor Cheshire called the meeting to order George Mulford of Grace Bible Baptist Church gave the Invocation and Interim Police Chief Henry Rains led the Pledge of Allegiance to the Flag.

2. ROLL CALL

After the Invocation and Pledge of Allegiance, Mayor Cheshire called the meeting to order and announced decorum for the meeting. He then requested that Ms. Johns call roll where a quorum was declared present.

3. PRESENTATIONS

There were none.

4. CONSENT AGENDA

(a) Approval of Minutes (city manager/city clerk)

May 22, 2025, Regular Meeting

(b) Resolution 2025-035, Approving Highway Maintenance Memorandum of Agreement Contract #<u>AT360</u>, between the Florida Department of Transportation and the City of Fruitland Park. (city manager/city attorney/public works director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE FLORIDA DEPARTMENT OF TRANSPORTATION HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT CONTRACT #AT360, BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF FRUITLAND PARK FOR THE MAINTENANCE OF STATE ROAD RIGHTS-OF-WAY BY THE CITY; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.

(c) **Resolution 2025-042, Approving First Amendment (Change Order #1) to EJCDC Standard Form of Agreement between Owner and Contractor on the Basis of Stipulated Price Re: Spring Lake Water Main Project Changing the Retainage from 10% to 5%.** (city manager/city attorney/public works director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING FIRST AMENDMENT TO EJCDC STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR ON THE BASIS OF A STIPULATED PRICE RE: SPRING LAKE WATER MAIN PROJECT THAT CHANGES THE RETAINAGE FROM 10 PERCENT TO 5 PERCENT AS PROVIDED BY FLORIDA LAW; AUTHORIZING THE MAYOR TO SIGN THE FIRST AMENDMENT; PROVIDING FOR AN EFFECTIVE DATE.

(d) **Resolution 2025-044, Permanent Utility and Ingress/Egress Easements in the Vicinity of 35421 Micro Racetrack Road (Thiele Property).** (city manager/city attorney/ community development director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING TWO PERMANENT UTILITY AND INGRESS-EGRESS EASEMENTS IN FAVOR OF THE CITY OF FRUITLAND PARK, FLORIDA, FROM FRUITLAND PARK COMMONS II, LLC, ALONG MICRO RACETRACK ROAD; AUTHORIZING THE MAYOR TO EXECUTE THE EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: **A motion was made by Vice Mayor DeGrave and seconded by Commissioner Cosenza to approve the consent agenda, as presented. The motion carried by a unanimous vote.**

5. REGULAR AGENDA

(a) **Resolution 2025-031, Arbor Park Phase I Subdivision Final Plat for approximately 160.35± Acres Generally Located West of US Hwy 27/441, East of County Road 468, North of Griffin Road and South of Urick Street. Petitioner: Halff Engineering on behalf of the owners, Garden Street Communities Southeast, LLC and Aggarwal & Gupta Family Foundation, Inc.** (city attorney, city manager, community development)

Acting City Attorney Sandy Minkoff read into the record the title of proposed Resolution 2025-031, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING FINAL PLAT APPROVAL OF ARBOR PARK PHASE 1 GENERALLY LOCATED WEST OF U.S. HWY 27/441, EAST OF COUNTY ROAD 468, NORTH OF GRIFFIN ROAD AND SOUTH OF URICK STREET, FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rankin, Interim Community Development Director, provided information pertaining to the request, and stated that the Planning and Zoning Board approved the request on May 15, 2025.

ACTION: **A motion was made by Commissioner Cosenza and seconded by Vice Mayor DeGrave to adopt Resolution 2025-031 as previously cited.**

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

(b) **Resolution 2025-028, Variance Requested by Contractor Tool Supply for Approximately 4.83± Acres Generally Located East of US Hwy 27/441 and North of South Grays Airport Road. Petitioner: Vera Holdings & Investments, Inc. (Owner).** (city attorney, city manager, community development)

Acting City Attorney Sandy Minkoff read into the record the title of proposed Resolution 2025-028, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATION (LDR) REQUIREMENTS PERTAINING TO LANDSCAPE BUFFER TREE PLANTINGS ON THE SUBJECT PROPERTY LOCATED EAST OF US HIGHWAY 441/27 AND NORTH OF SOUTH GRAYS AIRPORT ROAD OWNED BY VERA HOLDINGS & INVESTMENTS, INC., PROVIDING FOR AN EXPIRATION DATE; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rankin explained the request for variance, noting this was a proposal to replace canopy trees with understory trees where there is an extension of utility power lines in a utility easement.

ACTION: **A motion was made by Vice Mayor DeGrave and seconded by Commissioner Cosenza to adopt Resolution 2025-028 as previously cited.**

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

(c) **Resolution 2025-029, Major Site Plan Requested by Contractor Tool Supply for Approximately 4.83± Acres Generally Located East of US Hwy 27/441 and North of South Grays Airport Road. Petitioner: Vera Holdings & Investments, Inc. (owner).** (city attorney, city manager, community development director)

Acting City Attorney Sandy Minkoff read into the record the title of proposed Resolution 2025-029, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING MAJOR SITE PLAN APPROVAL WITH CONDITIONS TO ALLOW FOR CONSTRUCTION OF A 53,710 SQUARE FOOT – TWO STORY BUILDING FOR RETAIL SALES OF CONTRACTOR TOOLS, OFFICE AND ATTACHED WAREHOUSES/STORAGE INCLUSIVE OF ASSOCIATED PARKING AND STORMWATER; PROVIDING FOR CONDITIONS; AUTHORIZING THE CITY MANAGER TO ISSUE A NOTICE OF SITE PLAN APPROVAL UPON COMPLETION OF ALL CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rankin provided information pertaining to the request and stated that the Planning and Zoning Board approved the request on May 15, 2025.

ACTION: **A motion was made by Commissioner Cosenza and seconded by Vice Mayor DeGrave to adopt Resolution 2025-029 as previously cited.**

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

(d) **Resolution 2025-040, Deferred Parking Agreement. Petitioner: Catalyst Design Group on behalf of the owner, Birch Enterprises LLC (Urick and Wilder).** (city manager/city attorney/community development director)

Acting City Attorney Sandy Minkoff read into the record the title of proposed Resolution 2025-040, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE DEFERRED PARKING AGREEMENT CONSISTENT WITH SECTION 162.040(D), CITY OF FRUITLAND PARK LAND DEVELOPMENT CODE BETWEEN THE CITY AND BIRCH ENTERPRISES, LLC FOR THE URICK AND WILDER APARTMENT PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Rankin provided information regarding the request for a deferred parking agreement.

Jake Pretzell, Civil Engineer, Catalyst Design Group, explained that the deferred parking agreement would enable the preservation of trees on the property. He noted that a study had been submitted to staff which indicated the number of parking spaces actually necessary for this type of project.

Vice Mayor DeGrave stated that Exhibit C, did not depict where trees were being preserved. Mr. Pretzell provided a site plan which showed the trees that would be preserved. He noted that some were historical trees. Vice Mayor DeGrave thought that the renters of the apartments would be more concerned about where to park than about the trees. Mayor Cheshire said that one of the most significant problems with apartments is parking and Lake County does not have a vibrant alternative transportation system.

McGregor Love, Attorney, addressed concerns expressed about the deferred parking agreement. He stated the applicant understood that the full parking may have to be developed. He noted that the terms in the agreement could be adjusted at the will of the City Commission and the developer.

Mayor Cheshire did not think parking should be deferred. Vice Mayor DeGrave was concerned about setting a precedent. He said the LDR requirements are reasonable, and parking is necessary.

ACTION: **A motion was made by Vice Mayor DeGrave to DENY Resolution 2025-040 as previously cited.**

Vice Mayor DeGrave withdrew the motion to deny and made a motion to TABLE Resolution 2025-040 to the June 26, 2025, City Commission meeting. Commissioner Cosenza seconded the motion.

Mr. Minkoff advised that the site plan did not show additional parking, and all of the requests would need to be tabled at this time. He did note that the school concurrency agreement could be approved.

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

(e) **Resolution 2025-030, Proportionate Share Mitigation Agreement (School Concurrency – Urick and Wilder).** (city manager/city attorney/community development director)

Acting City Attorney Sandy Minkoff read into the record the title of proposed Resolution 2025-030, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE PROPORTIONATE SHARE MITIGATION AGREEMENT FOR THE PROJECT URICK AND WILDER STREET MULTIFAMILY RESIDENTIAL SCHOOL CONCURRENCY CASE #2024-29; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: **A motion was made by Vice Mayor DeGrave and seconded by Commissioner Cosenza to TABLE Resolution 2025-030 as previously cited.**

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

(f) **Resolution 2025-022, Major Site Plan for Approximately 10.42± Acres Generally Located South of Urick Street and East of Wilder Street. Petitioner: Catalyst Design Group on behalf of the owner, Birch Enterprises LLC.** (city manager/city attorney/community development director)

Acting City Attorney Sandy Minkoff read into the record the title of proposed Resolution 2025-022, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING MAJOR SITE PLAN APPROVAL WITH CONDITIONS TO ALLOW CONSTRUCTION OF MULTI-FAMILY APARTMENT BUILDINGS AND A CLUBHOUSE INCLUSIVE OF ASSOCIATED PARKING AND STORMWATER; PROVIDING FOR CONDITIONS; AUTHORIZING THE CITY MANAGER TO ISSUE A NOTICE OF SITE PLAN APPROVAL UPON COMPLETION OF ALL CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: **A motion was made by Vice Mayor DeGrave and seconded by Commissioner Cosenza to TABLE Resolution 2025-022 as previously cited.**

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

(g) **Resolution 2025-041, Utility Easement. Petitioner: Catalyst Design Group on behalf of the owner, Birch Enterprises LLC (Urick and Wilder).** (city manager/city attorney/community development director/public works director)

Acting City Attorney Sandy Minkoff read into the record the title of proposed Resolution 2025-041, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING A PERMANENT UTILITY AND INGRESS-EGRESS EASEMENT IN FAVOR OF THE CITY OF FRUITLAND PARK, FLORIDA, FROM BIRCH ENTERPRISES, LLC FOR THE URICK AND WILDER APARTMENT PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE EASEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: **A motion was made by Vice mayor DeGrave and seconded by Commissioner Cosenza to TABLE Resolution 2025-041 as previously cited.**

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

(h) **Resolution 2025-037, Appointment of City Commissioner to Fill Seat for District 2.** (city manager/city clerk/City Commission)

Acting City Attorney Sandy Minkoff read into the record the title of proposed Resolution 2025-037, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A DISTRICT 2 TO FILL THE COMMISSION VACANCY IN DISTRICT 2 TO SERVE UNTIL THE NEXT CITY ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

The applicants for District 2 were asked to provide a brief introduction. Subsequently there was a question-and-answer period. The applicants who were interviewed were as follows:

Mr. Pat Hoye
Mr. Blake Mahan
Ms. Martina Williams

ACTION: **A motion was made by Vice Mayor DeGrave and seconded by Commissioner Cosenza to adopt Resolution 2025-037, appointment of Martina Williams to the City Commission, District 2, as previously cited.**

Mayor Cheshire called for a roll call vote on the motion and declared it carried by a majority vote with Commissioner Cosenza dissenting.

(i) **Resolution 2025-038, Appointment of City Commissioner to Fill Seat for District 5.** (city manager/city clerk/City Commission)

Acting City Attorney Sandy Minkoff read into the record the title of proposed Resolution 2025-038, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A RESIDENT OF DISTRICT 5 TO FILL THE COMMISSION VACANCY IN DISTRICT 5 TO SERVE UNTIL THE NEXT CITY ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE.

The applicants for District 5 were asked to provide a brief introduction. Subsequently there was a question-and-answer period. The applicants who were interviewed were as follows:

Mr. Jason Gerald
Mr. Michael Holloway
Mr. Michael Raysin

ACTION: **A motion was made by Mayor Cheshire and seconded by Vice Mayor DeGrave to adopt Resolution 2025-038, appointment of Michael Raysin to the City Commission, District 5, as previously cited.**

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

5. PUBLIC HEARING

There were none.

6. QUASI-JUDICIAL PUBLIC HEARING

There were none.

7. (a) City Manager

i. Development Update

Mr. Rankin provided an update with regard to development in the city. He said that AdventHealth had its groundbreaking, and he is collaborating with developers for two sites along US 441 for commercial development.

ii. Parks Impact Fee Discussion

Ms. Manila, City Manager, stated that she was requesting formal direction from the City Commission to have a study done to establish park impact fees. She also expressed an interest in making an adjustment to the Police impact fees.

The consensus of the City Commission was to authorize the City Manager to issue an RFP for an impact fee study.

iii. Wastewater Treatment Plant

Ms. Manila stated that the Town of Lady Lake has changed their mind about partnering with the City of Fruitland Park on a Wastewater Treatment Plan. She has informed the city engineers. The wastewater treatment plant study was nearing completion. However, with this change, the scope will have to be adjusted. She stated the city would require information about constructing a plant that could be expanded commensurate with future growth. The master plan study is anticipated in early to mid-July. The necessary rates and impact fees will be included taking into consideration the city having its own plant.

iv. Master Plan update – Date to discuss Water Master Plan

Ms. Manila stated that the engineers are ready to review the water master plan with the City Commission.

It was determined that the Presentation would be on June 26, 2025, City Commission Agenda. Rob Ern, of HALFF Engineering firm will deliver the presentation. Vice Mayor DeGrave requested that an executive summary be prepared to include information such as dollar amounts, size of plant needed, and funding options for the plant.

v. **Lake 100 Study**

Ms. Manila stated that Lake 100 is planning to do a countywide study to determine what city revenues are brought in, what services are provided, etc. They are trying to determine whether cities are supplementing revenues for the county or vice versa. Lake County is willing to pay for one half of the study, the City of Leesburg is willing to pay $15,000, and if participating, the City of Fruitland Park would pay a maximum of $2,500.

Vice Mayor DeGrave stated that he would like to see the proposal and scope of the study before making a commitment to participate.

The consensus of the City Commission was that more information would be needed before a decision could be made to participate.

(b) City Attorney

i. **Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628 –** No update at this time.

ii. **Linda Harold v. City of Fruitland Park, Lake County Case No. 2025-CA-000116** – No update at this time.

Mr. Minkoff reminded the City Commissioners that their Financial Disclosure forms are due by July 1, 2025.

8. UNFINISHED BUSINESS

There were no unfinished business items.

9. PUBLIC COMMENTS

10. COMMISSIONERS' COMMENTS

There were none.

11. MAYOR'S COMMENTS

There were none.

13. ADJOURNMENT

The meeting adjourned at 7:24 p.m.

Gwen Keough-Johns

Gwen Keough-Johns, City Clerk

Chris Cheshire, Mayor