FRUITLAND PARK CITY COMMISSION REGULAR MEETING MINUTES
January 9, 2025

A regular meeting of the Fruitland Park City Commission was called to order at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, January 9, 2025, at 6:03 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor Patrick DeGrave, Commissioners John Mobilian, and Joey "Joseph" Cosenza III

Members Absent: Commissioner Chris Bell

Also Present: City Attorney Anita Geraci-Carver, Interim City Manager Karen Manila, City Treasurer Gary Bachman; Interim Police Chief Henry Rains; Human Resources Director John Klein; Administrative Manager Sharon Williams, Community Development Department; Public Works Director Robb Dicus; and Sherie Lindh, LPG.

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

After Mayor Cheshire called the meeting to order, Pastor Charles "Chuck" Padgett, Trinity Assembly of God, gave the Invocation, and Interim Chief Rains led in the Pledge of Allegiance to the flag.

ACTION: 6:03 p.m. No action was taken.

2. ROLL CALL

After Mayor Cheshire called the meeting to order and announced the decorum for this evening's meeting, he requested that Ms. Sharon Williams call the roll where a quorum was declared present.

ACTION: 6:04:21 p.m. No action was taken.

3. CONSENT AGENDA

The city commission considered its action on the following consent agenda items:

(a) Approval of Minutes
December 12, 2024, regular and December 3, 2024, workshop meetings.

ACTION: 6:04:32 p.m. **A motion was made by Commissioner Mobilian, seconded by Vice Mayor DeGrave and unanimously carried; the city commission approved the aforementioned consent agenda.**

4. **REGULAR AGENDA –**

(a) **Resolution 2025-005 City Manager's Employment Agreement**
Ms. Geraci-Carver read into the record proposed Resolution 2025-005, the substance of which is as follows:

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE CITY OF FRUITLAND PARK CITY MANAGER'S EMPLOYMENT AGREEMENT BETWEEN THE CITY OF FRUITLAND PARK, FLORIDA AND KAREN MANILA; AUTHORIZING EXECUTION OF THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:05:17 p.m. **A motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2025-005 as previously cited.**

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

(b) **Resolution 2025-007 Water Wastewater Master Plans updates – Utility fund – FY 2024-25 Budget Amendment**

Ms. Geraci-Carver read into the record proposed Resolution 2025-007, the substance of which is as follows:

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PURSUANT TO SEC. 6.07 OF THE CITY CHARTER AMENDING THE 2024-2025 FISCAL YEAR BUDGET BY INCREASING EXPENDITURES IN THE UTILITY FUND BUDGET IN THE AMOUNT OF $161,305 FOR ENGINEERING FEES TO UPDATE THE CITY'S WATER AND WASTEWATER MASTER PLANS AND DECREASING THE SEWER IMPACT FEE ACCOUNT IN THE UTILITY FUND BUDGET IN THE SAME AMOUNT; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:06:40 p.m. **a motion was made by Commissioner Mobilian and seconded by Commissioner Cosenza that the city commission adopt Resolution 2025-007 as previously cited.**

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

(c) **Resolution 2025-009 Water and Wastewater Master Plans Update, Reclaimed Water Master Plan Development, Water and Wastewater System Rate, Impact Fee Study Update, and Effluent Disposal Areas Preliminary Geotechnical Investigation – Professional Services Proposal – Halff Inc.**

Ms. Geraci-Carver read into the record proposed Resolution 2025-009, the substance of which is as follows:

> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE CITY OF FRUITLAND PARK WATER, WASTEWATER AND RECLAIMED WATER MASTER PLAN, RATE AND IMPACT FEE STUDY UPDATE PROPOSAL DATED DECEMBER 13, 2024 BETWEEN THE CITY OF FRUITLAND PARK AND HALFF ASSOCIATES, INC. TO PREPARE AN UPDATE TO THE POTABLE WATER SYSTEM MASTER PLAN AND WATER SYSTEM HYDRAULIC MODEL, AN UPDATE TO THE WASTEWATER AND RECLAIMED WATER SYSTEM MASTER PLAN, AND AN UPDATE TO THE WATER AND WASTEWATER SYSTEM RATE AND IMPACT FEE STUDY IN AN AMOUNT NOT TO EXCEED $161,305, AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:09:12 p.m. After discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2025-009 as previously cited.**

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

(d) **Resolution 2025-008 New Joint-Use Public Safety Building Lake County ILA – ARPA – FY 2024-25 Budget Amendment**

Ms. Geraci-Carver read into the record proposed Resolution 2025-008, the substance of which is as follows:

> A RESOLUTION OF THE CITY COMMISSION OF CITY OF FRUITLAND PARK, FLORIDA, PURSUANT TO SECTION 6.07 OF THE CITY CHARTER AMENDING THE 2024-2025 FISCAL YEAR BUDGET BY INCREASING REVENUES IN THE CAPITAL PROJECTS FUND IN THE AMOUNT OF $1,250,000 RECEIVED FROM LAKE COUNTY, FLORIDA, THAT WERE NOT ANTICIPATED FOR RECEIPT UNTIL 2026; AND

INCREASING EXPENDITURES IN THE CAPITAL PROJECTS FUND FOR CONSTRUCTION OF THE PUBLIC SAFETY COMPLEX BY THE SAME AMOUNT; AND PROVIDING AN EFFECTIVE DATE.

ACTION: 6:10:36 p.m. After discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2025-008 as previously cited.**

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

(e) Resolution 2025-001 Building Permit Fees Public Safety Building – FY 2024-25 Budget Amendment

Ms. Geraci-Carver read into the record proposed Resolution 2025-001, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PURSUANT TO SECTION 6.07 OF THE CITY CHARTER AMENDING THE 2024-2025 FISCAL YEAR BUDGET BY INCREASING EXPENDITURES IN THE CAPITAL PROJECTS FUND IN THE AMOUNT OF $223,205 FOR PAYMENT OF BUILDING INSPECTIONS AND CITY AND COUNTY IMPACT FEES NOT BUDGETED IN THE 2024-2025 FISCAL YEAR BUDGET FOR CONSTRUCTION OF THE PUBLIC SAFETY COMPLEX AND DECREASING EXPENDITURES IN THE GENERAL FUND ARPA INTEREST EARNINGS ACCOUNT BY THE SAME AMOUNT; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:12:42 p.m. After discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2025-001 as previously cited.**

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

(f) Resolution 2025-004 – Utility Impact Fee Agreement – "Enclave at Lake Geneva"

Ms. Geraci-Carver read into the record proposed Resolution 2025-004, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE UTILITY IMPACT FEE AGREEMENT BETWEEN THE CITY AND FRUITLAND PARK DEVELOPMENT IV, LLC RELATING TO A RESIDENTIAL PROJECT KNOWN AS THE ENCLAVE AT LAKE GENEVA GENERALLY LOCATED BETWEEN LAKE ELLA ROAD AND SOUTH TO SPRING LAKE ROAD, FRUITLAND PARK, FLORIDA; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:14:43 p.m. After discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2025-004 as previously cited with recommended changes.**

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

PUBLIC HEARING

(g) Public Hearing – Resolution 2025-006 – Enclave at Lake Geneva Preliminary Plan – Lake Ella Road and South to Spring Lake Road – Petitioner: Fruitland Park Development IV, LLC

Mayor Cheshire stated this item was to be tabled to the January 23, 2025 City Commission meeting.

ACTION: 6:15:23 p.m. After discussion, **a motion was made by Commissioner Mobilian and seconded by Vice Mayor DeGrave to TABLE Resolution 2025-006 to the January 23, 2025, City Commission meeting.**

By unanimous consent, Mayor Cheshire closed the public hearing.

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

(h) Second Reading and Public Hearing - Ordinance 2024-015 – "The Code of Ordinances of the City of Fruitland Park"

After Ms. Geraci-Carver read into the record Ordinance 2024-015, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE

MANNER OF AMENDING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE. (The first reading was held on December 12, 2024.)

ACTION: 6:16:05 p.m. After discussion, **a motion was made by Commissioner Mobilian and seconded by Vice Mayor DeGrave that the city commission approve Ordinance 2024-015 as previously cited.**

By unanimous consent, Mayor Cheshire closed the public hearing.

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

(i) **Second Reading and Public Hearing – Ordinance 2024-012 Boundary Amendment (Annexation) – 9.67+/- Acres South of Lake Ella Road, East of Taylor Mill Road and west of US Highway 27/441 – Petitioners: Michael A. and Maria C. Windhorst**

It now being the time advertised to hold a public hearing, after Ms. Geraci-Carver read into the record Ordinance 2024-012, the substance of which is as follows, Mayor Cheshire called for interested parties 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 APROXIMATELY 9.67 +/- ACRES OF LAND GENERALLY LOCATED SOUTH OF LAKE ELLA ROAD, EAST OF TAYLOR MILL ROAD, AND WEST OF U.S. HIGHWAY 27/441; 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 SCRIVENERS ERRORS AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 12, 2024.)

ACTION: 6:17:43 p.m. After discussion, **a motion was made by Commissioner Mobilian and seconded by Vice Mayor DeGrave that the city commission enact Ordinance 2024-012 as previously cited to become effective immediately as provided by law.**

By unanimous consent, Mayor Cheshire closed the public hearing.

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

(j) **Second Reading and Public Hearing – Ordinance 2024-014 Small-Scale Comprehensive Plan Amendment – 9.67 +/- Acres South of Lake Ella Road, East of Taylor Mill Road and West of US Highway 27/441 – Petitioners: Michael A. and Maria C. Windhorst**

ACTION: 6:18:28 p.m. After discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission TABLE Ordinance 2024-014.**

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

QUASI-JUDICIAL PUBLIC HEARING

(k) **First Reading and Quasi-Judicial Public hearing- Ordinance 2025-001, Third Amended and Restated MDA – Petitioner: Fruitland Park Development IV, LLC**

It now being the time advertised to hold a public hearing, after Ms. Geraci-Carver read into the record Ordinance 2025-001, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

> AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING ORDINANCE 2023-012, 2006-13 AND 2022-012 TO ADOPT A THIRD AMENDED AND RESTATED MASTER DEVELOPMENT AGREEMENT RELATING TO REAL PROPERTY CURRENTLY ZONED PLANNED UNIT DEVELOPMENT CONSISTING OF APPROXIMATELY 145.1 +/- ACRES OF PROPERTY LOCATED BETWEEN LAKE ELLA ROAD AND SOUTH TO SPRING LAKE ROAD, FRUITLAND PARK, FLORIDA; AMENDING THE CONCEPTUAL SITE PLAN; INCREASING THE ACREAGE, INCREASING THE DENSITY AND NUMBER OF RESIDENTIAL UNITS; PROVIDING FOR DESIGN STANDARDS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on January 23, 2025.)

ACTION: 6:19:42 p.m. After discussion, **a motion was made by Commissioner Mobilian and seconded by Vice Mayor DeGrave that the city commission enact Ordinance 2025-001 as previously cited to become effective immediately as provided by law.**

John Gunter, 407 W Mirror Lake Drive, asked about the density of the project. Ms. Lindh responded that the entire development was proposed to consist of 421 units. The PUD modification would remove the townhome units and replace them with single family units. She noted that the overall density would remain relatively low and compatible with the area.

There was additional discussion regarding concurrency. Ms. Manila noted that the Town of Lady Lake had authorized their Town Manager to grant the City of Fruitland Park up to a two-year extension if the city opted to construct its own wastewater treatment plant. Vice Mayor DeGrave discussed the capacity issues with respect to new development. Ms. Geraci-Carver said that the city could consider exploring a moratorium, which would allow the city time to have further discussions with the Town of Lady Lake. She also discussed how similar situations had been addressed in other jurisdictions.

By unanimous consent, Mayor Cheshire closed the public hearing.

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

END OF QUASI-JUDICIAL PUBLIC HEARING

8. (a) City Manager

At Ms. Manila's request, the first item to be addressed was the Public Safety Building Status Update.

i. Economic Development

ii. Commercial Developments Permits Issued

iii. Public Safety Building Status (Design Elements) Update Report

Michael Latham, GatorSktch Corp., gave an update on the design elements of the public safety building. He discussed the options created for the colors and finishes on the public safety building. He said his recommendation was for all silver roof with accent and base coat colors around the windows.

The consensus of the commission was to move forward with the recommendation made by Mr. Latham, which was for an all-silver roof with accent and base coat colors around the windows.

iv. Lake County Water Authority 2023 Stormwater Grant Discussion

Mr. Manila said that in April of 2023, the City Commission approved acceptance of a grant from Lake County to construct a baffle box at the bottom of Lemon Street, into Mirror Lake. The total grant was $260,000 or 80% of the cost. The city's part

would have been $66,000. After receiving the grant, Mirror Lake Village was developed with the inclusion of a newly constructed a retention pond. As a result of the new retention pond, the stormwater flow down Lemon Street became significantly less. There were discussions between staff and the former City Manager which determined that there was no longer a need to spend the designated funds on a baffle box. Staff recommended not moving forward with the project and refunding the grant money back to Lake County. Lake County has indicated that they will need a letter from the City Manager to confirm that the city no longer wishes to move forward with the project.

ACTION: 6:58:04 p.m. After discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian authorizing City Manager Manila to prepare and send a letter to Lake County regarding refunding of grant money received for a baffle box project at the end of Lemon Street, into Mirror Lake.**

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

(b) City Attorney - Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628

Ms. Geraci-Carver reported that the Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628 will be assigned a trial date for some time in April 2025.

ACTION: 6:58:50 p.m. No action was taken.

9. UNFINISHED BUSINESS

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

ACTION: 6:58:52 p.m. No action was taken.

10. PUBLIC COMMENTS

Cindy Brown, Congressman Daniel Webster's Office, wished the commissioners a Happy New Year and thanked the City Commission for allowing Congressman Daniel Webster to continue to represent and serve the City of Fruitland Park.

ACTION: 6:59:54 p.m. No action was taken.

11. COMMISSIONERS' COMMENTS

(a) Commissioner Cosenza

Commissioner Cosenza said that he had nothing to report at this time.

ACTION: 6:00:00 p.m. No action was taken.

(b) Commissioner Mobilian

Commissioner Mobilian stated concern about trees that had blown down along Hwy 466A. He wondered if the debris would be collected. Mr. Dicus said those trees were located under the jurisdiction of the county, and if given direction by the commission, he would communicate with Lake County and see that the debris is removed.

Commissioner Mobilian asked the commission to aid in his efforts to get the highway construction completed. Mr. Dicus said that the project was being redesigned and was supposed to restart in Fall 2025.

ACTION: 7:09:04 p.m. No action was taken.

(c) Commissioner Bell

Commissioner Bell was absent from the meeting.

ACTION: 6:51:56 p.m. No action was taken.

(d) Vice Mayor DeGrave

Vice Mayor DeGrave stated that he and Ms. Manila would be attending the Lake County League of Cities luncheon on Friday, January 10, 2025.

ACTION: 7:09:23 p.m. No action was taken.

12. MAYOR'S COMMENTS

a. Dates to Remember

Mayor Cheshire announced the following events:

- January 10, 2025, Lake County League of Cities, *Habitat for Humanity's update,* Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at noon.
- On January 20, 2025, city hall closed Martin Luther King Jr. Day.
- January 23, 2025, regular City Commission meeting

ACTION: 7:09:41 p.m. No action was taken.

13. ADJOURNMENT

The meeting adjourned at 7:09:42 p.m.

Gwen Keough-Johns, BS, MMC
Interim City Clerk

Chris Cheshire, Mayor