

**FRUITLAND PARK CITY COMMISSION REGULAR MEETING  
MINUTES  
March 22, 2018**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, March 22, 2018 at 6:00 p.m.

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

**Members Absent:** Commissioner Rick Ranize.

**Also Present:** City Manager Gary La Venia, City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Interim Fire Chief Don Gilpin, Deputy Fire Chief Tim Yoder, Madison Leary, Fire Department; Community Development Director Tracy Kelley; Parks and Recreation Director Michelle Yoder; Public Works Director Dale Bogle; Police Chief Mike Fewless, and City Clerk Esther B. Coulson.

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

Mayor Cheshire called the meeting to order at 6:03 p.m.; Pastor “Greg” Gregory Brown, Leesburg Church of the Nazarine, gave the invocation, and Chief Fewless led in the Pledge of Allegiance to the flag.

**2. ROLL CALL**

Mayor Cheshire requested that Ms. Coulson call the roll and a quorum was declared present.

**By unanimous consent, the city commission approved the excused absence of Commissioner Ranize as he is away ill from this evening’s meeting.**

**3. PRESENTATIONS**

**(a) Special Presentation 2018 Fruitland Park 5k Love Run**

Ms. Yoder acknowledged the sponsors of the annual February 14, 2018 Fruitland Park Love Run where 84 runners participated; announced that proceeds from the event totaled \$3,045 which will be divided with Community United Methodist Church (CUMC) Pantry who worked with the city on the event, and presented a check to CUMC for \$1,522.50.

On behalf of the city commission, Mayor Cheshire thanked CUMC for their support and said check was presented.

Reverend Debra Allen, CUMC, expressed her gratitude and accepted the check on behalf of the families who would benefit from the church’s food pantry.

## **Fruitland Park City Commission Regular Minutes**

Page 2 of 11

March 22, 2018

In response to Mayor Cheshire's inquiry, Ms. Yoder explained that the parks and recreation department is currently working with the running group timing company.

**(b) April 2018 - *Water Conservation Month Proclamation***

Mayor Cheshire read into the record, a proclamation designating April 2018 as *Water Conservation Month* and encouraged the citizens and businesses to help protect precious resource by practicing water-saving measures on the need to save water.

Ms. Susan Davis, St. John's River Water Management District, accepted the proclamation and thanked the city commission. She gave reasons on the importance of such recognition and acknowledged the city's joint efforts with other local governments throughout the state informing the state legislatures on the importance of saving water with communities together.

**(c) April 8 to 14, 2018, *National Library Week* and April 10, 2018 *National Library Worker's Day Proclamation***

By unanimous consent and upon Mayor Cheshire's suggestion, the city commission postponed the recognition of *National Library Week* and *National Library Worker's Day* proclamation to the next meeting at staff's request.

**(d) May 6 – 12, 2018 - *NAOSH Safety and Health Week* and May 9, 2018 *Occupational Safety and Health Professionals Day Proclamation***

Mayor Cheshire read into the record, a proclamation designating the week of May 6 to 12, 2018 as the North American Occupational Safety and Health Week and May 9, 2018 as *Occupational Safety and Health Professionals Day*. He encouraged health and safety for all.

Mr. Lee Jay Claybrome, representing, accepted the proclamation with appreciation and thanked the city commission for its support.

#### **4. LOCAL PLANNING AGENCY**

By unanimous consent, the city commission recessed its meeting at 6:10 p.m. to hold the Local Planning Agency meeting and reconvened at 6:17 p.m.

#### **5. CONSENT AGENDA**

On motion of Vice Mayor Gunter, seconded by Commissioner Lewis and unanimously carried, the city commission approved the following consent items:

**(a) Approval of Minutes**

A motion was made by Vice Mayor Gunter and seconded by Commissioner Lewis that the city commission approve the January 25, 2018 regular meeting minutes as submitted.

## Fruitland Park City Commission Regular Minutes

Page 3 of 11

March 22, 2018

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

### 6. REGULAR AGENDA

#### (a) **Golf Carts and Low Speed Vehicles, Chapter 73 – Discussion**

Chief Fewless recognized the city's current laws on golf carts and low speed vehicles. He referred to discussions with Mr. La Venia in that regard; pointed out the city's ordinances relating to golf carts, and recommended that they conform to the changes with Florida Statutes whereby Ms. Geraci-Carver be given the permission to devise same.

After much discussion, Mayor Cheshire referred to the city's golf cart access map which was last updated in 2012.

After Commissioner Bell pointed out the golf cart crossing on CR 466A (West Miller Street) and College Avenue and questioned whether the crossing at the traffic lights (intersection of CR 466A and CR 468) would make more sense, Mr. La Venia indicated that golf carts are not permitted on CR 466A; otherwise, the city commission would need to request that the county enact an ordinance allowing same.

Following Mayor Cheshire's reference to Ms. Coulson's March 1, 2018 email to Ms. Sherie Lindh, LPG Regional Planners Inc., questioning the update of the current access map and Mr. La Venia's suggestion, **the city commission, by unanimous consent agreed that the 2012 golf cart access map does not need to be changed.**

After Commissioner Lewis indicated that he believes the city does not need golf carts on CR 468, Commissioner Bell questioned the golf cart crossing on the proposed roadway improvements which intersects at College Avenue to which Chief Fewless identified as the area where the school crossing guard is situated.

Following Mayor Cheshire's recognition of golf carts prohibited from county roads with a posted speed of 30 mph or more, Mr. La Venia acknowledged the respective roadway with a posted speed of 35 mph.

Commissioner Lewis questioned the proposed drawing for the CR 466A roadway improvements and questioned the likelihood of no turn lanes or crossing at the median, after the roadway construction.

After discussion, Commissioner Lewis noted his observation of families utilizing golf carts from College Avenue to the northern part of the city to which Commissioner Bell questioned how access will work after the roadway improvements are completed.

## **Fruitland Park City Commission Regular Minutes**

Page 4 of 11

**March 22, 2018**

Mayor Cheshire suggested that staff communicate with the county on its future plans for the CR 466A roadway improvements to which Mr. La Venia indicated that it would be at the county's discretion to allow golf cart access on said roadway and for the city to continue with its plans in that regard.

Commissioner Bell recognized the timeline of the proposed CR 466A Phase IIIA construction project and requested that staff provide a copy of the final design which includes the College Avenue and CR 466A roadway intersection for city commission review.

Chief Fewless and Ms. Geraci-Carver confirmed, in response to Mayor Cheshire's inquiry that they are satisfied with the city commission's position on the item in question.

**(b) Lift Station Alarms – Quotation and 1062 Scitext RTUs 5-LSs Project Order - Sanders Company Inc.**

The city commission considered its action to accept a SCI factory service maintenance terms with Sanders Company Inc. for the installation and programming of five Sci-Text 1062 RTU text alarms to operator cell phones from Sanders Company Inc. for \$26,315 and direct the city attorney to prepare a contract to implement same.

Mr. La Venia described the alarms earmarked in the FY 2017-18 budget for the capital lift stations which do not have alarms; recognized the city's new lift stations which were constructed which have alarms, and pointed out Saunders Company, which carries out such work where he is requesting, that the city continue using said company.

Mr. Bogle recalled his appearance before the city commission at its November 9, 2017 regular meeting regarding the inoperable hydromatic pump lift station costing \$6,610. He referred to the recent problem, based on a call received from TruGreen Fruitland Park Lawn Care Maintenance Service, regarding fluid emitting from the lift station.

Mr. Bogle outlined the benefits of staff using Saunders' Sci-Text 1062 Remote Telemetry Unit to text the alarm system for the pump lift stations; the State of Florida Department of Environment Protection's compliance requirements which includes the conduct of inspections which has not been implemented for years, and described the pumps' activities and tunnel communication safety feature connected to the Supervisory Control and Data Acquisition Personal Computer system at a minimal cost through AT&T sim card system.

Following Ms. Racine's response to Vice Mayor Gunter's inquiry that the alarms are earmarked in the budget for \$27,000, Ms. Geraci-Carver confirmed in the

**Fruitland Park City Commission Regular Minutes**

Page 5 of 11

March 22, 2018

affirmative to Mayor Cheshire's question that it is in order to proceed with the contractor as the amount is less than what the state requires the city to procure.

**On motion of Vice Mayor Gunter, seconded by Commissioner Bell and unanimously carried, the city commission approved staff's recommendation to accept SCI's factory service maintenance terms with Sanders Company Inc. as previously cited.**

**(c) Vehicles Surplus – Public Works Department**

The city commission considered its action to approve staff's recommendation for surplus items (four vehicles and two propane motors) listed in the memorandum from the public works director) and old computer equipment and seven rear seats from a 2007 to 2009 Chevy Impala (detailed the attached list from the police department) no longer used, to be available for public sale or auction.

After Mr. Bogle described the surplus items, he noted the auction to take place at George Gideon Auctioneers Inc. at Zellwood utilized by the police department, and indicated that the city would receive payment for same.

Following further discussion, and **on motion of Commissioner Lewis, seconded by Commissioner Bell and unanimously carried, the city commission authorized the public works department director to sell at public auction the surplus items (four vehicles, two propane motors, old computer equipment that has been properly degaussed, and seven rear seats) at a future sale.**

**QUASI-JUDICIAL PUBLIC HEARING**

**(d) First Reading and Quasi-Judicial Public Hearing – Ordinance 2018-004 to Correct Ordinance 2016-024 – Boundary Amendment North of CR 466A and West of Timbertop Lane – Petitioner: James Phillips**

Ms. Geraci-Carver read into the record proposed Ordinance 2018-004, the substance of which is as follows:

AN ORDINANCE CORRECTING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF ORDINANCE 2016-024 WHICH AMENDED 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 1.0 ± ACRE OF LAND GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; 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

**Fruitland Park City Commission Regular Minutes**

Page 6 of 11

March 22, 2018

STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on April 12, 2018.)

**A motion was made by Commissioner Bell and seconded by Commissioner Lewis that the city commission approve the LPA's recommendation of approval on proposed Ordinance 2018-004 as previously cited.**

There being no one from the public and 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.**

**(e) First Reading and Quasi-Judicial Public Hearing – Resolution 2018-013 Laurel Street Vacation**

Ms. Geraci-Carver read into the record proposed Resolution 2018-013, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; CLOSING AND VACATING A 30' PLATTED RIGHT OF WAY KNOWN AS LAUREL STREET CONSISTING OF A PORTION OF THE WEST 335' OF BLOCK 20, AS RECORDED IN PLAT BOOK 3, PAGE 9, OF THE PUBLIC RECORDS OF LAKE COUNTY; PROVIDING FOR DIRECTION TO THE CITY CLERK TO INCLUDE RECORDATION; PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the city commission approve the LPA's recommendation of approval on proposed Resolution 2018-013 as previously cited.**

There being no one from the public and 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**

## **Fruitland Park City Commission Regular Minutes**

Page 7 of 11

March 22, 2018

### **7. OFFICERS' REPORTS**

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

##### **i. LDR**

Mr. La Venia pointed out the March 15, 2018 city commission workshop on the Land Development Regulations (LDRs); its discussions on the city manager or designee's approval process and the setback requirements under subsection 163.060. He referred to Ms. Brittany Reynolds' letter dated March 21, 2018 confirming that they have no issues or concerns with their neighbors Mr. and Mrs. Ray Lewis erecting a new driveway that is less than the five-foot setback from their shared property line; a copy of the letter is filed with the supplemental papers to the minutes of this meeting.

Mr. La Venia indicated that there is no variance process in the LDRs for the new driveway; noted the permission required by the city manager under Chapter 157, and recognized the decision by Commissioner Lewis to obtain a letter from his neighbor to which he has no issues in presenting same before the city commission to allow Commissioner Lewis to proceed.

Mr. La Venia referred to his recent conversations with Ms. Kelly requesting that she send an email to Mr. Greg Beliveau, LPG Regional Planners Inc. in this regard. Mr. La Venia voiced his belief that the matter in question would be better served by all if he is not in the position to approve issues of this nature; addressed the likelihood of his replacement, based on the relationship with an elected official, electing to deny the request which he believes would create a problem, and gave reasons for his recommendation in presenting the subject issue to protect the elected body and the public.

Ms. Kelly noted the instances in the LDRs where such power is granted to the city manager and the reflection made, without knowing the origin, identifying the community development director.

Commissioner Lewis relayed his question to Mr. Beliveau recently on the city's variance process; recognized the Town of Lady Lakes setback requirements for concrete work at one foot from the property.

Mayor Cheshire agreed with Mr. La Venia's recommendation that such power should not be granted by him or the community development director to which Ms. Geraci-Carver concurred in the affirmative that she would communicate with Mr. Beliveau to determine other local governments' requirements.

## **Fruitland Park City Commission Regular Minutes**

Page 8 of 11

March 22, 2018

### **ii. Voting Districts**

Mr. La Venia referred to the voting district map provided by Mr. Beliveau on February 22, 2018; indicated that if there are no objections to the revisions that the city commission direct the city attorney to proceed in preparing draft legislation, and noted the need to proceed expeditiously due to the qualifying dates.

In response to Commissioner Bell's inquiry, Ms. Geraci-Carver recognized the qualifying dates begin on June 18 and end on June 22, 2018.

After discussion, Ms. Geraci-Carver indicated that a draft ordinance on the 2018 election with the five political districts and map will be placed on the agenda for consideration at both meetings in April 2018 and subsequently submitted to the Lake County Supervisor of Elections upon enactment.

### **iii. Shiloh Street**

Mr. La Venia reported that Lake County will be providing a new infrastructure interlocal agreement for Shiloh Street and that Cutoff Road will be created for FY 2018-19; indicated that no new curbs and sidewalks will not be implemented, even though there are ongoing discussions on the likelihood of including them, where a new proposal will be sent, and explained that the city commission ought to review same and make a decision.

After Commissioner Lewis referred to the city commission's discussion at its March 8, 2018 regular meeting on the need to review the incorporation of curbs and his observance on the lack of same on county roads, Mr. La Venia responded that it would apply to new construction.

### **(b) City Attorney**

Ms. Geraci-Carver announced that she has no items to report.

## **8. PUBLIC COMMENTS**

No one from the public appeared before the city commission at this time.

## **9. COMMISSIONERS' COMMENTS**

### **(a) Commissioner Ranize**

Commissioner Ranize' absence was excused earlier in this evening's meeting.



## **Fruitland Park City Commission Regular Minutes**

Page 9 of 11

March 22, 2018

**(b) Commissioner Lewis – Animal Control**

Commissioner Lewis referred to Ms. Coulson's March 20, 2018 email regarding animal control; deemed his comments made at the last meeting to be inappropriate, and believed that if the residents make inquiries about problem animals, the city ought to refer them to the county as such responsibilities were transferred to them in 2005.

**(c) Commissioner Bell – Gardenia Park Fence**

After Commissioner Bell requested that a fence be erected at Gardenia Park's Pavilion adjacent to Fruitland Park Library to prevent young children from running into the roadway, Mr. La Venia suggested delaying same until the costs be presented before the city commission for discussion on the FY 2018-19 budget.

**(d) Vice Mayor Gunter Jr. – March 10, 2018 Fruitland Park Beautification Day**

Vice Mayor Gunter expressed his appreciation and commended Ms. Yoder for a job well done at the March 10, 2018 Annual Beautification Day where planting took place at the proposed new parks and recreation center (current Fruitland Park Library) to which she announced that approximately 40 people participated.

### **10. MAYOR'S COMMENTS**

**(a) Solicitations on the City's Website**

Mayor Cheshire referred to Ms. Coulson's concerns on solicitations received from companies to place items on the city's website and believed that the city ought to keep the companies' services used by the city.

After discussion, Ms. Coulson recognized an ordinance enacted in 1984 relating to the city's parks and recreational rules and regulations as well as the city code which addresses solicitation and mentioned the need to discourage same.

Following further discussion, Ms. Geraci-Carver suggested that if the city commission does not want solicitations, she would respond that it is not allowed on the city's website.

**(b) Dates to Remember**

Mayor Cheshire recognized the following events:

- March 28, 2018 MPO Governing Board, 225 West Guava Street, Suite 217, Lady Lake, Florida 32159 at 2:00 p.m.;
- April 3, 2018, Lake Emergency Management Services (EMS) Inc., Finance Committee Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 2:00 p.m.
- April 5, 2018, City Commission Workshop at 6:00 p.m.

## **Fruitland Park City Commission Regular Minutes**

Page 10 of 11

March 22, 2018

- April 7, 2018, Fruitland Park Day at 10:00 a.m.  
Annual Barbeque Cook-Off at 12:00 p.m.
- April 10, 2018, Lake EMS Employee Issues Committee, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 3:00 p.m.
- April 10, 2018, Lake EMS Operations Committee Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 4:00 p.m.;
- April 12, 2018, City Commission Regular Meeting at 6:00 p.m.
- April 13, 2018, LCLC *SJRWMD Lake Apopka Restoration Presentation*, Lake Receptions, 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.
- April 13, 2018, Movie on the Lawn *Jimani* at 7:00 p.m.;
- April 24, 2018, Lake EMS Board of Directors Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 2:30 p.m.;
- April 21, 2018, *Volunteer's Appreciation Picnic*, Veterans Memorial Complex, 810 West Berckman Street, Fruitland Park, Florida 34731;  
Mayor Cheshire addressed his inability to attend as he will be away and besides Mr. La Venia, encouraged Vice Mayor Gutner or the elected officials to attend;
- April 25, 2018, Lake-Sumter MPO Governing Board Meeting, 225 W Guava Street, #217, Lady Lake, Florida 32159 at 2:00 p.m.;
- April 26, 2018, City Commission Regular Meeting at 6:00 p.m.
- April 28, 2018 *Coffee with the Mayor* at Fruitland Park Library, 205 West Berckman Street, Fruitland Park, Florida 34731;
- April 2018 Ribbon-Cutting with Lake County for the Northwest Lake Community Park Soccer Field, Cales Field Recreation Complex  
Mayor Cheshire addressed plans to hold a ribbon-cutting ceremony at Northwest Lake Community Park Soccer Field, Cales Field Recreation Complex where more information will be provided at a future date.
- May 5, 2018 Annual Employee Picnic at Veterans' Memorial Complex, 810 West Berckman Street, Fruitland Park, Florida 34731.

**Fruitland Park City Commission Regular Minutes**

Page 11 of 11

March 22, 2018

**11. ADJOURNMENT**

There being no further business to come before the city commission at this time, on motion made, seconded and unanimously carried, the meeting adjourned at 7:03 p.m.

The minutes were approved at the June 10, 2018 regular meeting.

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

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