

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
April 26, 2018**

A regular meeting of the City of Fruitland City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, April 26, 2018 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 Racine; Captain Erik Luce, and Executive Assistant Karen McKillips, Police Department; Interim Fire Chief Don Gilpin and Firefighter Kevin Ducharme, Fire Department; Public Works Director Dale Bogle; Community Development Director Tracy Kelley; Human Resources Director Diane Kolcun; and City Clerk Esther B. Coulson.

**1. CALL TO ORDER**

After Mayor Cheshire called the meeting to order at 6:00 p.m.; Pastor Jim Keegan, New Life Church, gave the invocation and Captain Luce led in the Pledge of Allegiance to the Flag.

**2. ROLL CALL**

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

Later in the meeting, Mayor Cheshire outlined the decorum procedures when addressing the city commission.

**3. SPECIAL PRESENTATION**

**ICMA**

Mr. James "Jim" P. Gleason, City Manager of Mascotte, appeared on behalf of the Florida City County Manager's Association (FCCMA) and International City-County Manager Association (ICMA-CA), and recognized the city's 35<sup>th</sup> anniversary, the manager-council form of government that the city is operating under.

Mr. Gleason gave a historical overview of the management appointments and the formal adoption and formation of FCCMA and ICMA; gave statistics on the respective associations working with governments in the United States with the city managers' roles and commitments in that regard and commended the city commission and the community for adopting ICMA 35 years ago. He presented Mayor Cheshire and Mr. La Venia with a Certificate of Appreciation.

After discussion, Mayor Cheshire announced that the city was recognized by ICMA on March 10, 1983 as a city-manager type of government and adopted Resolution 95 on September 30, 1974 electing the city-manager plan of government.

4. **LOCAL PLANNING AGENCY**

**By unanimous consent, the city commission recessed its meeting at 6:13 p.m. to convene to the Local Planning Agency meeting, and reconvened at 7:22 p.m.**

5. **CONSENT AGENDA**

**On motion of Commissioner Bell, seconded by Commissioner Lewis and unanimously carried, the city commission approved the consent agenda - the February 22, 2018 regular meeting minutes as submitted.**

6. **REGULAR AGENDA**

(a) **Parking Violations - Traffic Rules, Title VII, Chapter 71 - Discussion**

With respect to the city's current provisions on parking violations, Captain Luce described the type of system the police department uses to issue traffic citations for moving violations with fines assessed according to state statute; the process utilized for nonpayment by forwarding same to the Lake County Clerk of Courts who notifies the defendant of the charges, and the escrow account established for the city for such purpose.

After discussion, Captain Luce, in answering Commissioner Lewis' inquiry, explained that the city does not issue parking citations.

Mayor Cheshire recognized illegal parking activities on city hall property with the inability to enforce same and mentioned including such provision in the parking ordinance.

In answering, Mr. La Venia relayed Police Chief Mike Fewless' desire to address parking violations in the city with the ability to issue parking citations; pointed out the complaints he received from The Villages' residents and anticipated that an ordinance from the city would provide the mechanism to collect fees inhouse which does not exist as it is transferred to the county whereby the city receives nothing.

Following much discussion, Commissioner Ranize addressed the need for a process and for the public to be educated initially before the city collects fines.

**By unanimous consent, the city commission accepted the city attorney's request to work with the police department chief on the parking violations, traffic rules.**

(b) **Resolution 2018-021 Shiloh Street - Transfer ILA**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-021, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY AND THE CITY OF FRUITLAND PARK, FLORIDA FOR SHILOH STREET INFRASTRUCTURE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

**A motion was made by Commissioner Lewis and seconded by Vice Mayor Gunter that the city commission postpone its action on Resolution 2018-021, as previously cited, at the city manager's request for more information.**

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

**(c) Resolution 2018-022 Fruitland Park Library - Change Order 1**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-021, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CITY OF FRUITLAND PARK LIBRARY - CHANGE ORDER 1 FROM PAQUETTE COMPANY IN THE AMOUNT OF \$75,426.00; PROVIDING FOR AN EFFECTIVE DATE.

After Mr. La Venia recognized the city commission's discussions at its April 12, 2018 regular meeting, **a motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission adopt Resolution 2018-022 as previously cited.**

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

**(d) Resolution 2018-019 Calling for Election**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-019, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CALLING FOR A REGULAR ELECTION TO FILL VACANCIES ON THE CITY COMMISSION; SETTING AN ELECTION DATE; NAMING THE VACANCIES TO BE FILLED; ESTABLISHING A POLLING LOCATION; ESTABLISHING A QUALIFYING PERIOD; ESTABLISHING ELECTION PROCEDURES; PROVIDING FOR ELECTION ARRANGEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

At Mayor Cheshire's request, Ms. Geraci-Carver addressed, according to the city's code and charter; the city commission's desire to hold an August 23, 2018 Primary Election, consistent with the state's, if more than two individuals are running for the same district. She recognized the November 6, 2018 General Election date where commission district seats 1 and 2 would be scheduled to be filled for a four-year period and noted the polling places she received from the Lake County Supervisor of Elections Office (SOE) for individuals to vote. Ms. Geraci-Carver explained that the qualifying period is consistent with the state and the county's which commences on Monday, June 18 starting at noon and ends at noon Friday, June 22, 2018.

**A motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the city commission adopt Resolution 2018-019 as previously cited.**

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

**(e) Resolution 2018-020 Road Paving and Maintenance Fund**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-020, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ESTABLISHING A ROAD PAVING AND MAINTENANCE FUND WITHIN THE GENERAL FUND; PROVIDING DIRECTIONS; PROVIDING FOR AN EFFECTIVE DATE.

Mr. La Venia recognized, for the Fiscal Year 2017-18 budget, the setting aside of \$50,000 towards the purpose of paving roads whereby at the start of "sinking funds" \$100,000 was initially allocated but reduced to \$50,000 for budgetary reasons. He indicated that not everything the city implements would be included in the Community Redevelopment Agency (especially for the newer areas of the city) but explained that such action would allow funds to be maintained as a restrictive fund set aside annually for roadway repairs when they are ready to be paved.

After Ms. Racine interjected that the maintenance of funding would be restricted, Ms. Geraci-Carver concurred with her statements on the ability to draw on said funds later if needed and indicated that for emergencies the funds could be utilized for other purposes to which Mr. La Venia identified as committed funds.

In answer to Commissioner Ranize' inquiry regarding meeting the city's purchasing requirements of up to \$4,000, Ms. Geraci-Carver explained that after the fund is budgeted and for it to be utilized, a budget amendment would be required to be considered before the city commission.

**A motion was made by Commissioner Bell and seconded by Commissioner Ranize that the city commission adopt Resolution 2018-020 as previously cited.**

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

In acknowledging the city commission's action, Commissioner Ranize identified the subdivisions of Wingspread, The Glen, Chelsea's Run, Gardenia Park, and The Villages of Fruitland Park which are not within the Community Redevelopment Agency. He voiced his concurrence with the comments made at the April 12, 2018 regular meeting by Mr. Bob Wille, City of Fruitland Park resident.

**(f) Year to Date Budget Report – Period Ending March 31, 2018**

Ms. Racine reviewed the budget report revenues and expenses for the period up to March 31, 2018.

In response to Mayor Cheshire's inquiry on the status of financing, Ms. Racine reported that Mr. Geoff Brewster, Finance Specialist, Finance Department, recently conducted a research with various banking institutions where different terms were received. She addressed her plan to apply for a two-year interest-only loan and believed the first time to accept the United States Department of Homeland Security Federal Emergency Management Agency's hurricane reimbursement to be approximately 18 months and anticipated receiving the majority of advance funds to pay same which needs to be covered at the end of the year.

Mses. Racine and Geraci-Carver concurred with Commissioner Lewis' statements on the negative fund balance expenditures whereby the city would be utilizing its restricted funds (which is accounted for) to cover cash flow needs and his previous conversations with McDirmit Davis & Co, Certified Public Accountants and the appearance of Ms. Tammy Campbell (Certified Public Accountant from said firm) at the December 14, 2017 regular commission meeting outlining same.

After Commissioner Bell recollected the city commission's previous direction at its September 28, 2017 regular meeting to pursue the line of credit with the city's financial institutions (due to Hurricane Irma's storm debris collection), Ms. Racine indicated that the city commission changed its mind and decided, at its December 14, 2017 regular meeting, to proceed pursuing reimbursement.

After Commissioner Lewis recognized the figure for the negative reserves to be unknown and the 2017 Comprehensive Annual Financial Report to be unavailable, Ms. Racine relayed Ms. Campbell's statements to her that she does not believe the number \$471,00 from unrestricted reserves would change, if the city does not borrow but anticipated it would be low and the city would be able to cover same.

After discussion and **by unanimous consent, the city commission authorized the city treasurer not to proceed pursuing funding from the financial institution and accepted her recommendation to utilize funding from the reserves.**

**By unanimous consent, Mayor Cheshire opened the public hearings at this evening's meeting.**

### **PUBLIC HEARING**

**(g) First Reading – Ordinance 2018-005 Golf Carts**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-021, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 73 OF THE CODE OF ORDINANCES RELATING TO THE OPERATION OF GOLF CARTS AND LOW-SPEED VEHICLES WITHIN THE CITY OF FRUITLAND PARK; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 10, 2018.)

Ms. Geraci-Carver referred to Chief Fewless' request at the March 22, 2018 regular meeting regarding the combination of various ordinances relating golf cars and low speed vehicles under Chapter 73; which will take place after Municode's codification. She explained that in the interim, the subject matter would currently be placed as one ordinance and resolution; it is in conformance with the Florida State Statute, and it would incorporate what the city had before. Ms. Geraci-Carver relayed Chief Fewless' request to reflect state statutes than including more details on what is being proposed. She explained that Mr. Greg Beliveau, LPG Urban Planners Inc. (consultant retained by the city) has since updated the golf cart access map.

Mr. Beliveau conveyed Chief Fewless' request for more specificity on where to stop access on Miller Street/CR 466A which is the only minor change.

In response to Vice Mayor Gunter's reference to the county's permission (Resolution 2012-111) allowing access on CR 25 (Dixie Avenue), Mr. Beliveau indicated that it has not changed.

Ms. Geraci-Carver relayed her conversations with Captain Luce earlier before this evening's meeting on her intent to meet with Chief Fewless agreeing to same which matches the map; indicated that the golf carts are permitted to travel on part of Dixie Avenue, and indicated that the correction will be made by the second reading. She addressed the need for an agreement to reflect allowing golf cart access on said roadway, if Lake County concurs.

Commissioner Lewis voiced his agreement with Vice Mayor Gunter's reference to the designated and restricted golf cart crossing at the signalized intersection on CR 466A which is permitted.

After extensive deliberations and with respect to Vice Mayor Gunter's reference to the arrangement with the county on designated golf cart crossings, Ms. Geraci-Carver explained that if an agreement exists, it will be revised; thus, she will obtain more information from Ms. Coulson.

Following further discussion, Commissioner Ranize recollected:

- his appearance, as a City of Fruitland Park resident, before the Lake County Board of County Commissioners, when the Golf Cart Operation Within the City Limits of Fruitland Park appeared on its September 11, 2012 consent agenda and the county commission's previous discussions on same, his concerns for the county commission to consider safety as it pertains to driving a golf cart on Dixie Avenue; namely, its narrow roadway, the 30 miles per hour speed limit, and the lack of survey conducted on the issue;
- the county commissioners' actions pulling the agenda item in question for discussion;
- the former City Manager Ralph Bowers' appearance before the county commission and
- the county commission's decision for the city commission to deal with same and for its law enforcement to monitor the traffic and the county commission's adoption of Resolution 2012-111 designating county roads within the city limits of Fruitland Park as appropriate for golf cart operation and signage.

Commissioner Lewis concurred with Commissioner Ranize' statements citing safety issues where he currently believes that Dixie Avenue is a bad road to operate a golf cart which is allowed.

After Commissioner Ranize inquired whether there is a provision in state statutes on a licensed driver with a suspended driver's license operating a golf cart, Ms. Geraci-Carver explained that she will review same and provide further information prior to the second reading.

**A motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the city commission approve proposed aforementioned Ordinance 2018-005 with the direction to the city attorney to report back with more information, as previously cited, prior to the second reading.**

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

**(h) First Reading - Ordinance 2018-013 Building and Zoning Fees**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-021, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING SEC. 99.30 IN CHAPTER 99 OF THE CODE OF ORDINANCES TO AUTHORIZE THE CITY COMMISSION TO SET BUILDING AND ZONING FEES BY RESOLUTION; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 10, 2018.)

Mr. La Venia explained that the proposed ordinance reflects the city's existing building permit fees and is not altering the zoning fees which will remain as is to which Ms. Geraci-Carver agreed would be considered at the next meeting. She pointed out Municipal Code Corporation's preference for governing bodies to adopt fees by resolution; recommended that the city commission adopt the building and zoning fees in that regard (similar to Resolution 2017-020 Recreation and Facilities Fee Schedule) and addressed her plan to review the planning and zoning fees within Section 99.93 of the city's code which will be implemented, when ready, by resolution.

**A motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission approve Ordinance 2018-013 as previously cited.**

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

**(i) First Reading - Ordinance 2018-012 Lake County Countywide MSTU for Ambulance and EMS**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-021, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONSENTING TO THE INCLUSION OF THE CITY OF FRUITLAND PARK, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT (MSTU) OF THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE CITY TO BE INCLUDED WITHIN SAID MSTU FOR A SPECIFIED



TERM OF THREE (3) YEARS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on May 10, 20108.)

Ms. Geraci-Carver recalled the city commission's actions at its April 12, 2018 regular meeting on the recommendation for an additional three-year extension; noted the new term which will expire July 12, 2021 and relayed her notification to the county attorney's office of the commission's position whereby there are no issues with same.

**A motion was made by Commissioner Lewis and seconded by Commissioner Ranize that the city commission approve Ordinance 2018-012 as previously cited.**

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

**(j) Second Reading and Public Hearing – Ordinance 2018-008 Commission Districts**

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2018-008, Ms. Geraci-Carver read into the record the following title and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, ADOPTING CITY COMMISSION DISTRICTS AND A MAP DEPICTING SAID DISTRICTS; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on April 12, 2018.)

At Commissioner Lewis' request, Commissioner Ranize indicated that although he supports redistricting, he cited the method of division from The Villages of Fruitland Park to the historic Fruitland Park as reasons why he casted a "no" vote on the motion approving proposed Ordinance 2018-008.

As requested by Mayor Cheshire, Mr. Beliveau indicated that he did not review the areas where the elected officials reside; outlined how he was tasked from the beginning noting that the city has two districts in The Villages (similar to what he implemented for the Town of Lady Lake) and addressed his attempts in not allowing the city to have a majority (The Villages) in a commission district.

Mr. Beliveau explained that the maps he produced for other jurisdictions meet statutory requirements and addressed his uncertainty of the next redistricting and numerical shift due to the anticipated population growth to be generated resulting

from the planned unit developments (PUDs). He outlined how he computed homes (according to household), divided the districts and reviewed and compared same with the city's old boundaries.

After discussion, Mr. Beliveau addressed the option – with the objection of keeping the ratio 3:2 – to reconfigure and change the districts' perimeters and that the city commission inform him to implement same.

**A motion was made by Commissioner Lewis and seconded by Vice Mayor Gunter that the city commission enact Ordinance 2018-008 to become effective immediately as provided by law.**

There being no comments 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.**

#### QUASI-JUDICIAL PUBLIC HEARING

- (k) **First Reading and Quasi-Judicial Public Hearing – Ordinance 2018-006 to Correct Scrivener's Error on Ordinance 2016-023 SSCPA – 1.0± Acres - N CR 466A and W Timbertop Ln - Urban Low to Commercial – Petitioner: James Phillips, Owner**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-021, the substance of which is as follows, Mayor Cheshire called for the public to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CORRECTING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF ORDINANCE 2016-023 WHICH PROVIDED 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 1.0± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; 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 held on May 10, 2018.)

**A motion was made by Commissioner Lewis and seconded by Vice Mayor Gunter that the city commission approve the local planning agency's recommendations of approval on Ordinance 2018-006 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.**

- (l) First Reading and Quasi-Judicial Public Hearing – Ordinance 2018-007 to Correct Ordinance 2016-025 – Rezoning - Petitioner: James Phillips, Owner**  
Ms. Geraci-Carver read into the record the title of proposed Ordinance 2018-007, the substance of which is as follows, Mayor Cheshire called for the public to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CORRECTING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION OF ORDINANCE 2016-025 WHICH REZONED 1.0 ± ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) 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 held on May 10, 2018.)

**A motion was made by Commissioner Lewis and seconded by Vice Mayor Gunter that the city commission approve the local planning agency's recommendation of approval on Ordinance 2018-007.**

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.**

- (m) First Reading and Quasi-Judicial Public Hearing - Ordinance 2018-009 Gardenia East Subdivision Annexation - Gardenia East Subdivision – Petitioner: MRSF1 LLC, Owner**  
Ms. Geraci-Carver read into the record the title of proposed Ordinance 2018-009, the substance of which is as 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 13.44 ± ACRES OF LAND GENERALLY LOCATED EAST OF US HIGHWAY 27/441 AND NORTH OF REGISTER ROAD; 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 held on May 10, 2018.)

Upon LPG Urban Planning Inc.'s recommendation and **by unanimous consent, the city commission took Item 7, Ordinance 2018-009 Annexation; Item 9, Ordinance 2018-011 Large Scale Comprehensive Plan Amendment, and Item 8, Ordinance 2018-010, Rezoning out of order on this evening's agenda and accepted the request to transmit testimony from the April 26, 2018 Local Planning Agency meeting held earlier this evening to this meeting's proceedings.**

After discussion, a **motion was made by Commissioner Lewis and seconded by Vice Mayor Gunter that the city commission approve the Local Planning Agency's recommendation of approval on proposed Ordinance 2018-009 as previously cited.**

Mayor Cheshire called for the public to be heard.

There being no comments 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.**

**(o) First Reading and Quasi-Judicial Public Hearing – Ordinance 2018-011 Large-Scale Comprehensive Plan Amendment – Gardenia East Subdivision – North of Register Road Petitioner: MRSF1 LLC, Owner**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2018-011, the substance of which is as 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 LAKE COUNTY

URBAN MEDIUM DENSITY TO MULTI-FAMILY LOW DENSITY ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 13.44 ± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF REGISTER ROAD AND EAST OF US HIGHWAY 27/441; DIRECTING THE CITY CLERK TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; 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 held on May 10, 2018.)

After discussion, a motion was made by Commissioner Lewis and seconded by Commissioner Bell that the city commission approve the Local Planning Agency's recommendation of approval on proposed Ordinance 2018-011 as previously cited.

Mayor Cheshire called for the public to be heard.

There being no comments 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.

(n) **First Reading and Quasi-Judicial Public Hearing - Ordinance 2018-010 Gardenia East Subdivision Rezoning - R-1 to PUD – Petitioner: MRSF1 LLC, Owner**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2018-021, the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 13.44 ± ACRES OF THE PROPERTY FROM LAKE COUNTY RURAL RESIDENTIAL (R-1) TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; 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 held on May 10, 2018.)

Commissioner Lewis referred to Commissioner Bell's question posed at the Local Planning Agency (LPA) meeting held earlier this evening on the provision of the playground equipment for the proposed development. After Commissioner Lewis recalled The Glen Subdivision's original plans and the exclusion of its playground equipment, he requested that the city commission include with the applicant's commitment to install the playground equipment during the development that same be conditional of the PUD.

After Mr. Beliveau explained that the city no longer has an adopted level of service for recreation facilities and recognized the city's natural standard as a guideline, **by unanimous consent, the city commission accepted LPG Urban Planning Inc.'s suggestion that language on the playground equipment installation will be included by the second reading.**

Ms. Geraci-Carver pointed out the following changes agreed to by the LPA:

- the installation of privacy fences around the recreational vehicle and boat storage area in the PUD;
- the applicant's request of 40 percent lot maximum building coverage;
- the proposed development not being age-restricted, and
- language on the playground equipment installation, as previously cited, to be included before the second reading.

**A motion was made by Commissioner Lewis and seconded by Commissioner Bell that the city commission approve the Local Planning Agency's recommendations of approval, as amended as previously cited, on the proposed aforementioned Ordinance 2018-010.**

Mayor Cheshire called for the public to be heard.

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

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

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

**Mayor Cheshire declared the motion carried on a four-to-one (4-1) vote.**

**END OF QUASI-JUDICIAL PUBLIC HEARING**

**7. OFFICERS' REPORTS**

**(a) City Manager (revised)**

**i. Vehicle Quotes - Code Enforcement**

Later in the meeting, Mr. La Venia requested that the city commission disregard his memorandum dated April 19, 2018 regarding vehicle quotes for code enforcement.

Mr. La Venia pointed out the quote for the code enforcement officer's vehicle and recommended the 2018 Kia Soul Base Auto and pointed out the following prices where the city would obtain its own tags:

- Daytona Mitsubishi-Kia, \$18,148.75
- Bill Bryan Kia, Leesburg (local dealership), \$16,397 with \$799 dealer fee, and
- Orlando Kia West, \$16,242 with dealer fees

Mr. La Venia recommended that the city commission approve the selection of Bill Bryan Kia as the locally preferred low bidder and indicated for the low-base price, he would recommend Daytona Mitsubishi-Kia.

After discussion, Mr. La Venia noted the city commission's option of its local preference with vendors; referred to his April 19, 2018 memorandum which incorporated the following Ford Escape vehicles inclusive of dealer fees (copies of the respective documents are filed with the supplemental papers to the minutes of this meeting):

- Bartow Ford, \$20,839,
- Key Scales Ford, Leesburg, \$23,497, and
- Prestige Ford, Mount Dora \$18,890

After further discussion, Ms. Geraci-Carver concurred with Commissioner Lewis' suggestion requesting that staff elect the lowest bid and negotiate matching the price with Bill Bryan Kia.

Following much discussion, **a motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission accept the city manager's recommendation approving the selection of Bill Bryan Kia as the locally preferred low-bidder and direct staff to renegotiate the price further.**

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

**Additional Item**

**ii. CR 466A Phase IIIA Project Status Update Report**

Earlier in the meeting, Mr. La Venia reported on Lake County's total bid award of \$306,433 for the request for proposals for CR 466A Phase IIIA (Poinsettia Avenue to Century Avenue Roadway Construction) to DAB Constructors; recognized that a portion of the interlocal agreement executed by the city identified that the county's contract would perform utility work under CR 466A which is required to be completed; and pointed out the provision that there would be no charge to the city.

Mr. La Venia identified the price the city budgeted for the respective project to be \$322,000 based on the engineer's estimate.

**Additional Item**

**iii. Lawn Mower Discussion**

Mr. La Venia addressed his intent to place on the May 10, 2018 regular meeting agenda a request for a new lawn mower with prices for the Northwest Lake Community, Cales Park Multipurpose Soccer Field.

In response to Commissioner Bell's inquiry, Mr. La Venia addressed the difficulty in locating individuals that the city is seeking to retain on a contractual basis.

Following much discussion, and in response to Commissioner Ranize's question, Mr. La Venia explained that he will report back with more information as to whether the city could enter into a contract with the Town of Lady Lake or Lake County and find out the costs to utilize such service.

**(b) City Attorney - 2018 Legislative Bills Passed**

Ms. Geraci-Carver reported on the following 2018 Legislative bills that passed:

**- DRI (CS/CS/HB 1151)**

Developments of Regional Impact (DRI) -- large development to which Ms. Geraci-Carver does not believe that it applies to the city; however, in response to Commissioner Bell's recognition of The Villages, Commissioner Lewis recognized the city's DRI to which Ms. Coulson confirmed in the affirmative (the Development Order "The Villages of Fruitland Park" Villages of Sumter DRI adopted by Resolution 2014-001).

Ms. Geraci-Carver noted the state legislature's actions in previous years on the qualification of DRIs; recognized any current DRIs to be reviewed -- in compliance with the state coordinated review process -- with proposed changes to be reviewed by the local government.



- **Minimum Officer Qualifications (CS/HB 333)**

Ms. Geraci-Carver noted that individuals who served in the special operations forces of the U.S. military are exempt from completing the basic recruit training program for law enforcement, correctional or correctional probation officers; they have to serve in such capacity for a minimum of five years and apply for the exemption within four years of separating from the special operations forces. She noted the list of requirements and the ability to meet the qualifications; namely, passing the physical examination, having good moral character, demonstrate proficiency in high liability areas, and pass the officer certification exam within one year of receiving the exemption, and complete any additional training required by the Criminal Justice Standards and Training Commission, based on the applicant's prior training and experience.

- **Workers' Compensation Benefits for First Responders (CS/CS/SB 376)**

Ms. Geraci-Carver recognized the list of requirements for individuals who qualify for post-traumatic stress disorder, under the Workers' Compensation Benefits for First Responders' bill, during the course of their employment; namely, examination and diagnosis by an authorized treating psychiatrist who experienced or witnessed a traumatic event certain parameters where the disorder must be demonstrated by clear and convincing evidence with limitations on what they receive in temporary benefits.

Ms. Geraci-Carver noted that the provisions on the subject issue become effective October 1, 2018 and indicated that the city (the employing agency of the first responders, volunteers or paid staff), would be required to provide educational training relating to mental health awareness, prevention, mitigation and treatment. She addressed the need for the city to include same in its training program.

After much discussion and at Mayor Cheshire's request, Interim Chief Gilpin explained that there are no concerns with the subject bill.

- **Fire Safety (CS/SB 394)**

Interim Chief Gilpin identified concerns relating to Fire Safety under CS/SB 394 which addresses the training requirements relating to cancer and mental health risks within the fire department. Interim Chief Gilpin noted the minimizing of high risk employers placing the liability on where such risk was initiated a concern of labor/trade unions.

Following further discussion, Ms. Geraci-Carver explained that the training courses would be established by the State of Florida Department of Financial Services, Division of the State Fire Marshal as part of the firefighter and volunteer firefighter training and certification whereby the training requirements would be related to cancer and mental health risks within the fire service.

**8. PUBLIC COMMENTS**

There were no public comments at this time.

**9. COMMISSIONERS' COMMENTS**

**(a) Commissioner Ranize**

**i. Police Department**

Commissioner Ranize referred to a complaint raised by Mr. Walter Birriel, City of Fruitland Park resident, at the April 12, 2018 regular meeting regarding the police department; recognized that Captain Luce was not present at that time to defend himself, and congratulated Chief Fewless on his initiative in supporting the department by inviting Mr. Birriel and his daughter after the respective meeting to review the video footage of the events that took place.

Commissioner Ranize relayed Chief Fewless' comments confirming that Mr. Birriel's complaints made at the meeting did not taken place.

Vice Mayor Gunter referred to his review of the video footage prior to the April 12, 2018 meeting and voiced his confidence in Chief Fewless.

Commissioner Ranize expressed his disappointment that Mr. Birriel is not present at this evening's meeting to apologize about the accusations made to the police department and Captain Luce.

**ii. Ordinance 2018-008 Commission Districts**

With respect to the city commission districts, Commissioner Ranize gave his opinion on the previous direction and the attempts made to segregate The Villages from historical Fruitland Park who are city residents and believed that the city is moving in the wrong direction.

**(b) Commissioner Lewis**

**ii. Police Department**

Commissioner Lewis voiced his concurrence with Commissioner Ranize's statements on the subject issue.

**ii. Ordinance 2018-008 Commission Districts**

Commissioner Lewis stated that he shares a different opinion with Commissioner Ranize on the city commission districts.

**iii. Excused Absence**

Commissioner Lewis announced that he will be out-of-town on May 10, 2018 and requested that his absence be excused.

**iv. Lake EMS**

Commissioner Lewis referred to the April 4, 2018 Lake Emergency Medical Services Inc. (EMS) he attended and his findings on the county

commission's actions, since soliciting same, establishing a contract with Motorola™ on the acquisition of emergency network radios for the county and potentially various municipal emergency personnel to accept procuring new radios conditional upon acceptance by the municipalities. He noted the initial percentage and current discount applied through Motorola; anticipated that a memorandum will be forthcoming to the city managers identifying their respective entities' current radios with related costs and indicated that the county is seeking to secure a 10-year financing which would be transferred to the cities.

**FY 2018-19 Budget**

Commissioner Lewis recognized the forthcoming budget workshops for FY 2018-19 and the procedures which he believes ought to be changed and relayed his conversations with Mr. La Venia and Ms. Racine recognizing the time spent on the process in meeting with the respective departments on their desires and the review of same. Commissioner Lewis addressed the need for the city commission's ultimate decision with the opportunity for the departments to appeal same. He recognized the city's growing financial goals and the building of unrestricted cash reserves (previously emphasized for the FY 2017-18 budget) which needed to be addressed whereby the number was reduced during the process.

Mr. La Venia concurred with Commissioner Lewis' statements on his preference that future budgets be presented to the city commission by Mr. La Venia and Ms. Racine, with the directors present.

After much discussion, Commissioner Bell concurred with Mr. La Venia's request for him to have the ability to make reductions; entertain any questions relating to same, and for the city commission to continue to meet its goals such as a "rainy day" fund.

Mayor Cheshire indicated that he has no objections on the budget process and addressed the need for the city commission to make a determination on making the process more efficient.

**(c) Commissioner Bell**

Commissioner Bell stated that he had nothing to report at this time.

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

**i. Police Department**

Vice Mayor Gunter voiced his concurrence with Commissioner Ranize as it relates to his review of the police department's video footage.

ii. **FY 2018-19 Budget**

Mr. La Venia agreed with Vice Mayor Gunter's remarks expressing preference to include budget projections during the budget workshop to which Commissioner Bell indicated was previous practice.

10. **MAYOR'S COMMENTS**

**Dates to Remember**

- May 5, 2018, Employee Picnic Gardenia Park Pavilion and Pool, 201 W Berckman Street, Fruitland Park, Florida 34731 at 11:00 a.m.
  
- May 9, 2018, *2018 Lake County Community Service Awards, Receptions* 4425 N Highway 19-A, Mount Dora, Florida 32757, TBD;  
Later in the meeting, Commissioner Bell encouraged the city commission's presence at the 2018 Lake County Community Service Awards and mentioned a local resident who has been nominated to receive an award in the sports/athletics category.  
  
May 19, 2018, Coffee with the Mayor at 8:00 a.m.
  
- May 10, 2018, City Commission Regular at 6:00 p.m.;
  
- May 11, 2018, Lake County League of Cities' Board of Directors Inc. (LCLC) *Lake County Information Technology Innovations Update*, Lake Receptions 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.;
  
- May 11, 2018, Movie on the Lawn *Coco* at 8:30 p.m.;
  
- May 14, 2018, Parks, Recreation and Trails Advisory Board, Library Services Conference Room, 2401 Woodlea Road, Tavares, FL 32778;
  
- May 22, 2018, Lake EMS Finance Committee Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 2:00 p.m.;
  
- May 22, 2018, Lake EMS Employee Issues Committee Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 3:00 p.m.;
  
- May 22, 2018, Lake EMS Operations Committee Meeting, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 4:00 p.m.;
  
- May 22, commission workshop at 6:00 p.m.  
**By unanimous consent, the city commission agreed to conduct a workshop on the remaining land development regulations and directed staff to communicate with LPG Urban Planners Inc. to determine the items to be considered by the city commission.**

- May 23, 2018, Lake-Sumter Metropolitan Planning Organization Governing Board Meeting, 225 W Guava Street, #217, Lady Lake, Florida 32159 at 2:00 p.m.;
- May 24, 2018, City Commission Regular at 6:00 p.m.;
- May 28, 2018, Memorial Day – City Offices Closed.

**11. ADJOURNMENT**

**On motion made and seconded, the meeting adjourned at 7:34 pm.**

The minutes were approved at the July 12, 2018 meeting.

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

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