

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
March 14, 2019**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, March 14, 2019 at 6:00 p.m.

**Members Present:** Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr., Commissioners Christopher Bell, Patrick DeGrave and John Mobilian.

**Also Present:** City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Interim Police Chief Erik Luce, Sergeants Henry Rains, David Cox, Detective Brian Hilberer, Senior Police Officer Paul Sandbakken, Police Officer José Ortiz-Gonzales and Administrative Assistant Jeni Simken Police Department; Interim Fire Chief Donald Gilpin; Deputy Fire Chief Tim Yoder, Lieutenant Michael Howard, and Firefighter Madison Leary Fire Department; Community Development Department Director Tracy Kelley; Library Director JoAnn Glendinning; Public Works Director Dale Bogle, and City Clerk Esther B. Coulson.

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

**ACTION:** 6:00:00 PM Mayor Cheshire called the meeting to order, Senior Pastor Daryl Allen, Community United Methodist Church, gave the invocation, and Interim Police Chief Luce led in the Pledge of Allegiance to the flag.

**2. ROLL CALL**

**ACTION:** 6:01:27 PM At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was declared present

**3. SPECIAL RECOGNITIONS**

**(a) 2018 Police Officers of the Year Awards**

Interim Police Chief Luce recognized Detective Brian Hilberer (who was retained on June 5, 2017) and Senior Officer Paul Sandbakken (hired on June 30, 2015). Interim Police Chief Luce gave an overview on the establishment of the homicide investigations team. He recalled the outcome of the April 10, 2018 murder of Mr. Scott Behney on South Dixie Avenue; the degree of difficulty -- involving law enforcement officers from Tallahassee to Orlando -- to resolve the unwitnessed crime and identified the three criminals who have since been detained.

Interim Police Chief Luce credited Detective Hilberer and Sandbakken for their hard work where the streets, due to their efforts, have been made safer and presented them with the 2018 Police Officers of the Year Awards.

**ACTION:** 6:01:40 PM The city commission congratulated Detective Hilberer and Senior Officer Sandbakken who accepted their awards with gratitude.

- (b) **Municipal Firefighters Pension Trust Board**  
Mayor Cheshire recognized Mr. Steve Reed Brooker in recognition of his service from 2016-2018 on the Municipal Firefighters Pension Trust Board.

ACTION: 6:06:13 PM After the city commission thanked Mr. Brooker for his service, he expressed pleasure in serving for the short time as it was a noble cause.

- (c) **Elected Officials 2019 Institute for Elected Municipal Officials Certificates of Completion Awards**

Mayor Cheshire acknowledged Commissioners Patrick DeGrave and John Mobilian for their attendance at the Florida League of Cities and Florida Institute of Government where they were awarded with certificates of completion for the 2019 Institute for Elected Municipal Officials course that was held on January 25 to 27, 2019 in Jacksonville, Florida.

ACTION: 6:08:19 PM No action was necessary.

4. **CONSENT AGENDA**

- (a) **Approval of Minutes**  
**February 28, 2019 regular meeting minute as submitted**
- (b) **Resolution 2019-013 Board of Trustees Firefighters Pension Trust Fund Reappointment**

**ADOPT RESOLUTION 2019-013 OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER TO THE BOARD OF TRUSTEES OF THE MUNICIPAL FIRE FIGHTERS PENSION TRUST FUND OF THE CITY OF FRUITLAND PARK; AND PROVIDING FOR AN EFFECTIVE DATE.**

- (c) **Resolution 2019-014 Supporting HB 2067 CR 466A Phase 3**  
**ADOPT RESOLUTION 2019-014 OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, SUPPORTING HB 2067 FILED IN 2019 TO AUTHORIZE THE APPROPRIATION OF FUNDS FOR CONSTRUCTION OF CR 466A PHASE 3; DIRECTING THE CITY MANAGER TO PROVIDE A COPY OF THIS RESOLUTION UPON APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.**

ACTION: 6:09:10 PM **On motion of Commissioner Bell, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the consent agenda.**



**5. REGULAR AGENDA**

**(a) Resolution 2019-015 Planning and Zoning Board Appointment**

Ms. Geraci-Carver read into the record Resolution 2019-015, the substance of which is as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER TO THE CITY OF FRUITLAND PARK PLANNING AND ZONING BOARD; PROVIDING THE TERM EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**ACTION: 6:09:38 PM A motion was made by Vice Mayor Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2019-015 as previously cited with the appointment of Mr. Walter A. Burriel.**

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

**(b) Resolution 2019-016 – Fire Inspector Agreement**

Ms. Geraci-Carver read into the record Resolution 2019-016, the substance of which is as follows:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE AGREEMENT BETWEEN FIRE PREVENTION AND INSPECTIONS, LLC AND THE CITY OF FRUITLAND PARK RELATING TO A SCOPE OF SERVICES TO BE PERFORMED BY A FLORIDA CERTIFIED FIRE INSPECTOR; AND PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the February 28, 2019 regular meeting.)**

**ACTION: 6:10:53 PM A motion was made by Commissioner Bell and seconded by Commissioner DeGrave that the city commission adopt Resolution 2019-016 as previously cited.**

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

After recognizing the need to update Fire Prevention Ordinance 90-001, Ms. Geraci-Carver addressed her plan to meet with Mr. Daniel K. Hickey Sr., Fire Prevention and Inspections LLC, in that regard and once his recommendations are received on the respective ordinance, she will present revisions to same.

(c) **Fruitland Park Library Furniture**

Mr. La Venia reviewed the Fruitland Park Library furniture quotes outlined in his March 11, 2019 memorandum and recommended accepting quotations from:

- Demco Library Supplies for shelving at \$57,602.85
- Demco Library Supplies for furnishings at \$22,831.72 and
- National Business Furniture LLC for furnishings at \$31,120.00

Ms. Glendinning outlined Demco's installation, processing and shipping costs, National Business Furniture's delivery charge, and calculated the maximum authorization charge of furniture delivery into the building with full assembly to be \$135,580 with the exception of the librarian's office which Mr. La Venia indicated would be allocated from the library's budget.

**ACTION: 6:14:14 PM A motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission authorize the city manager to expend up to \$137,000 to purchase, install and deliver shelving and free-standing furnishings for the new Fruitland Park Library as outlined in his March 11, 2019 memorandum.**

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

(d) **January 2019 Financial Report**

Ms. Racine reviewed the January 2019 financial report; gave the status of the utility rate study to cover expenses where Mr. La Venia addressed the plan to meet with the consultant to provide a reasonable and practical calculation over a five-year period for future city commission consideration and recalled Commissioner DeGrave's previous request to highlight any overbudgeted expenditures.

**ACTION: 6:25:05 PM and 6:41:03 PM A motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission agreed to allocate from the reserves, the shortfall in the liability insurance budget for \$44,131 and workers' compensation for \$20,139.**

**After discussion, the maker and seconder of the motion agreed with Commissioner Mobilian's request to amend the motion to the allocation from the reserves, the shortfall for liability insurance budget in the amount of \$44,131 and workers' compensation for \$20,139 and combine the total of \$65,000 categorically (FY 2018/19 budget)**

**Mayor Cheshire called for a vote on the amended motion and declared it carried unanimously. (The city treasurer will provide the budget amendment for city commission consideration at the next meeting.)**

**On motion of Commissioner Bell, seconded by Vice Mayor Gunter and unanimously carried the city commission approved the January 2019 financial report as submitted by the city treasurer.**

**6. OFFICERS' REPORTS**

**(a) City Manager – Police Department**

Mr. La Venia addressed his intent to appoint Interim Chief Luce as the Police Chief effective April 1, 2019 and commended him for a job well done.

ACTION: 6:41:30 PM The city commission extended congratulations to Interim Police Chief Luce.

**(b) SRO**

Mr. La Venia referred to his recent meeting with Lake County School District Superintendent Diane Kornegay regarding the school resource officer (SRO) which was before the city commission during 2018 and pointed out the State of Florida's mandate (Marjory Stoneman Douglas High School Public Safety Act) 2018 Florida Legislature for all public schools and the city's costs to implement same. Mr. La Venia identified Police Officer [REDACTED] who has been assigned as the SRO and relayed Dr. Kornegay's statements on the faculty's favorable comments that he is well-liked; thus, his sentiments shared on same. Mr. La Venia conveyed the school district's intent to fully reimburse the city for direct and indirect costs for benefits and wages for 10 months where Officer [REDACTED] would be assigned on the road for two months; noted the minimal costs to retain the SRO and addressed the advantages and the preferences for the SRO to remain local.

ACTION: 6:41:59 PM **By unanimous consent, the city commission accepted the city manager's recommendation to communicate with the Lake County School District Superintendent on the city's desire to continue to retain the school resource officer at Fruitland Park Elementary School and for staff to draft an amendment to the agreement for city commission consideration at a future meeting.**

**(b) City Attorney –  
Notice of Claim – James Hartson  
Notice of Claim – Michael Fewless**

Ms. Geraci-Carver have no reports on the notices of claims on Messrs. James Hartson and Michael Fewless.

ACTION: 6:47:53 PM No action was necessary.

**7. PUBLIC COMMENTS**

Mr. James Carl, City of Fruitland Park resident, expressed concerns on the lack of barriers at the opening, across from Mirror Lake Village, caused by the recent bush fire and the easy access by bulldozers where said area is frequented by displaced individuals which he believes ought to be addressed.



At Mayor Cheshire's request, Interim Fire Chief Donald Gilpin acknowledged the bush fire that previously occurred in the city, reported that the State of Florida Department of Agriculture and Consumer Services, Florida Forest Services' conducted fire management services, assumed all responsibility and monitored the area and addressed his plan to communicate with them in that regard.

After Mr. Gary Blancer, City of Fruitland Park resident, thanked the city commission for serving; Mr. La Venia, in response to his inquiry, outlined the code enforcement-special magistrate process; referred to the designated funds for abandoned properties approved at the February 28, 2019 regular meeting and addressed the plan to proceed with said legal process.

ACTION: 6:48:02 PM and 6:50:27 PM No action was necessary.

## 8. COMMISSIONERS' COMMENTS

### (a) Commissioner Mobilian

Commissioner Mobilian referred to the February 27, 2019 Lake~Sumter Metropolitan Planning Organization (MPO) Governing Board's previous meeting regarding CR 466A and mentioned the City of Leesburg's desire to utilize the priority funds earmarked for CR 466A Phase 3 to realign the priorities to US Highway 27/441. He gave a report on the responses received from the email campaign he initiated regarding CR 466A Phase 3 which was sent to District 33 Representative Brett Hage.

ACTION: 6:53:17 PM No action was taken.

### (b) Commissioner DeGrave

Commissioner DeGrave stated that he has no comments at this time.

ACTION: 6:54:17 PM No action was necessary.

### (c) Commissioner Bell

Commissioner Bell stated that he has no comments at this time.

ACTION: 6:54:24 PM No action was necessary.

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

Vice Mayor Gunter stated that he has no comments at this time.

ACTION: 6:54:26 PM No action was necessary.

## 9. MAYOR'S COMMENTS

### Dates to Remember

Mayor Cheshire reviewed the following dates:

- March 25, 2019, Lake County Arts and Cultural Alliance, Agency for Economic Prosperity, 20763 U.S. Highway 27, Groveland, Florida 34736 at 3:00 p.m.
- March 28, 2019, City Commission Meeting Regular at 6:00 p.m. and
- March 30, 2019, Fruitland Park Day and BBQ Cook Off at 10:00 a.m.

ACTION: 6:54:30 PM No action was necessary.

**10. ADJOURNMENT**

**There being no further business to come before the city commission, the meeting adjourned at 6:56 p.m. (The City of Fruitland Park Commission Workshop followed immediately.)**

The minutes were approved at the March 28, 2019 regular meeting.

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

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

**6. OFFICERS' REPORTS**

**(b) SRO**

Redacted. Any information that would identify whether a particular individual has been appointed as a safe-school officer pursuant to this section held by a law enforcement agency, school district, or charter school is exempt from s. [119.07](#)(1) and s. 24(a), Art. I of the State Constitution. This subsection is subject to the Open Government Sunset Review Act in accordance with s. [119.15](#) and shall stand repealed on October 2, 2023, unless reviewed and saved from repeal through reenactment by the Legislature.