

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
March 28, 2019**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, March 28, 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, Police Department; Interim Fire Chief Donald Gilpin and Deputy Fire Chief Tim Yoder, Fire Department; Fruitland Park Library Assistant Circulation Supervisor Sherrie Lamb; Public Works Director Dale Bogle; Human Resources Director Diana Kolcun, 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, Pastor Dr. D. "Darryll" Franklin Reaves, Mount Ararat Metropolitan Missionary Baptist Church, gave the invocation, and Interim Police Chief Luce led in the Pledge of Allegiance to the flag.

**2. ROLL CALL**

**ACTION:** 6:02:02 PM At Mayor Cheshire's request, Ms. Coulson called the roll where a quorum was declared present.

**3. SPECIAL PRESENTATIONS**

**(a) Water Conservation Month – April 2019**

On behalf of the city commission, Mayor Cheshire read into the record a proclamation proclaiming the month of April 2019 as *Water Conservation Month* in the City of Fruitland Park, Florida and called upon each citizen and business to help protect our precious resource by practicing water-saving measures and becoming more aware of the need to save water.

**ACTION:** 6:02:27 PM The proclamation will be submitted at a later date to Ms. Susan Davis, St. John's River Water Management District, who was not present to accept the proclamation at this evening's meeting.

**(b) National Volunteer Week – April 7-13, 2019**

Mayor Cheshire reported that during the year 2018, more than 5,000 hours were contributed to the city by volunteers and announced that the May 4, 2019 Employees and Volunteer Picnic will be held to recognize their services.

On behalf of the city commission, Mayor Cheshire read into the record a proclamation proclaiming April 7 to 13, 2019 as *National Volunteer Week*, urged all citizens to be inspired to join the city in acknowledging and seeking imaginative

ways to be engaged in the community and recognized the valuable contributions made by all our volunteers at forthcoming events to be held in their honor thanking them for their dedicated and tireless service.

ACTION: 6:06:52 PM The proclamation will be presented on May 4, 2019.

**(c) National Library Week – April 7-13, 2019 and National Library Worker’s Day – April 9, 2019**

On behalf of the city commission, Mayor Cheshire read into the record a proclamation proclaiming April 7 to 13, 2019 as *National Library Week*, and April 9, 2019 as *National Library Workers’ Day* and encouraged all residents to visit the library to explore what is new; take advantage of the wonderful resources available, and engage with the library director and workers thanking them for making information accessible to all who walk through the library’s door.

ACTION: 6:06:50 PM Ms. Sherrie Lamb, Fruitland Park Library, accepted the proclamation with appreciation.

**4. CONSENT AGENDA**

**Approval of Minutes**

- (a) March 14, 2019 regular**
- (b) March 14, 2019 workshop**

ACTION: 6:09:36 PM **On motion of Commissioner Bell, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the consent agenda.**

**5. REGULAR AGENDA**

**Resolution 2019–017 - FY 2018/19 Budget Amendment - Liability Insurance and Workers’ Compensation Shortfall**

Ms. Geraci-Carver read into the record Resolution 2019-017, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2018/2019 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER BY \$64,270 TO TRANSFER FUNDS FROM THE GENERAL FUND THAT ARE BUDGETED FOR GENERAL FUND RESERVES TO VARIOUS DEPARTMENTS BUDGETS IN THE GENERAL FUND AND UTILITY FUND; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:09:53 PM **A motion was made by Vice Mayor Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2019-017 as previously cited.**

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

**6. OFFICERS' REPORTS**

**(a) City Manager**

**i. Janitorial Services**

Mr. La Venia reported that the janitorial services contract has expired; addressed the opportunity to renew same and mentioned the desire to communicate with the vendor recognizing the additional work for the new Fruitland Park Library which needs to be included which will result in new costs and where the city commission would need to decide to renew the contract, procure the services, or reverting same inhouse. He explained that more information will be provided at the next meeting where there will be an idea as to the vendor's costs after touring the library.

**ACTION:** 6:11:32 PM No action was necessary.

**ii. Economic Development – Commercial Properties and LDRs**

Mr. La Venia recalled the city commission's consensus at its March 14, 2019 workshop to provide a report on available commercial properties for sale and develop an inventory of property listings for focusing on CR 466A, US Highway 27/441, CR 25A and Berckman Street areas.

Mr. La Venia reported that Ms. Lori Davis, Code Enforcement Officer, is currently working on a map of properties for sale in the subject areas which will be subsequently shared with the city commission and Lake County Office of Elevate Lake.

As part of the economic development process, Mr. La Venia referred to: Chapters 154, Zoning Regulations; 155, Conditional Uses and Special Exceptions; 156, Miscellaneous Regulations; 164, Landscape Requirements and Tree Protection and 168, Variance provided on March 20, 2019 to the city commission to review in two workshop sessions and recognized that additional chapters including Chapter 163, Sign Regulations are forthcoming.

After extensive discussions, Mr. La Venia confirmed -- in response to Mayor Cheshire's suggestion and based on Ms. Geraci-Carver's advice -- including as part of the LDR workshop discussions the statutory requirements and procedures to extend the provision of utility services to users with infrastructures outside city limits.

**ACTION:** 6:12:18 PM and 6:14:12 PM Mayor Cheshire requested that the city clerk schedule a joint workshop between the city commission and the Planning and Zoning (P&Z) Board to review the land development regulations. (The P&Z Board will subsequently make a formal recommendation to the city commission before adoption.)

**iii. Supporting HB 2067 CR 466A Phase 3 (Resolution 2019-014)**

Mr. La Venia reported that letters (in support of House Bill 2067 appropriating funds for CR 466A Phase 3 Construction accompanying the adopted Resolution 2019-014), were recently sent to managers in Lake and Sumter Counties, Lake County and other governmental entities and pointed out the response received from the City of Mascotte who plans to support the city on the subject issue.

ACTION: 6:13:01 PM For informational purposes.

**iv. Façade Improvement (CRA Business Development) Matching Grant Program**

Mr. La Venia reported that Façade Improvement Community Redevelopment Agency Business Development Matching Grant Program was placed and advertised twice in the newspapers which yielded no response. He referred to the flyer recently prepared by Ms. Davis which was distributed by hand delivery to all businesses along the corridor of US Highway 27/441, CR 25A, and CR 466A and anticipated receiving a response in addition to the two applications that were already received.

ACTION: 6:13:17 PM For informational purposes.

**v. Future Regular Meeting Agenda**

Mr. La Venia announced the following to be placed on the future city commission meeting agenda:

- the Bell Family's request to present a check at the April 28, 2019 regular meeting as a donation towards the new Fruitland Park Library for a children's garden in honor of Virgil Bell;
- the FY 2016 Comprehensive Annual Financial Report for the April 28, 2019 regular meeting, and
- the appointment of a new P&Z Board member due to the announcement made by Chairperson Connie Bame at the March 27, 2019 meeting on her plan to resign as she will be relocating and recognized the presence of former City Commissioner Al Goldberg at this evening's meeting who expressed an interest to serve.

ACTION: 6:19:11 For informational purposes.

**(b) City Attorney –**

**i. Notice of Claim – James Hartson**

**ii. Notice of Claim – Michael Fewless**

Ms. Geraci-Carver gave the following report on the:

- March 18, 2019 Deposition by, Mr. Ryan J. Andrews, Steven R Andrews PA, attorney representing Mr. Michael Fewless, where Mr. La Venia and Ms. Kolcun were deposed; Ms. Racine was spoken to and the remaining deponents cancelled as it related to Mr. Fewless' claim against the State of Florida Division of Administrative Services, Department of Management Services, Division of Retirement;
- March 22, 2019 demand letter from Mr. Andrews requesting a response to provide a defense and indemnify Mr. Fewless for the action he initiated against the State of Florida Retirement System which was to appeal its decision on the benefits, and
- March 29, 2019 draft letter from Ms. Monika Coleman, PGCS Claim Services (insurance company retained by the city), regarding the Pre-Suit Demand Against Mr. Fewless; the reexamination of the city's policies, and the intent to submit same in response explaining that there is no coverage.

ACTION: 6:20:22 PM. For informational purposes.

**iii. Fire Ordinance**

Ms. Geraci-Carver referred to the city commission's actions at its March 14, 2019 regular meeting; recalled the discussions on the need to update Fire Prevention Ordinance 90-001, in light of retaining Mr. Daniel K. Hickey Sr., Fire Prevention and Inspections LLC on the scope of work which she is currently working on with staff and Mr. Hickey and anticipated providing same by the May 9, 2019 regular meeting.

ACTION: 6:21:41 No action was necessary.

**7. PUBLIC COMMENTS**

There were no comments from the public at this time.

ACTION: 6:32:23 PM. No action was necessary

**8. COMMISSIONERS' COMMENTS**

**(a) Commissioner Mobilian**

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

ACTION: 6:22:31 PM. No action was taken.

**(b) Commissioner DeGrave**

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

ACTION: 6:22:34 PM. No action was taken.

(c) **Commissioner Bell**

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

ACTION: 6:22:36 PM. No action was taken.

(d) **Vice Mayor Gunter, Jr. – Fruitland Park Day**

In response to Vice Mayor Gunter's inquiry, Mr. La Venia announced the arrangements for the March 30, 2019 Fruitland Park Day and BBQ Cookoff.

ACTION: 6:22:39 PM. No action was taken.

**9. MAYOR'S COMMENTS - Dates to Remember**

Mayor Cheshire announced the following dates:

- March 30, 2019, Fruitland Park Day and BBQ Cook Off at 10:00 a.m.
- April 11, 2019, City Commission Meeting Regular at 6:00 p.m.
- April 12, 2019, Movie on the Lawn *Ralf Breaks the Internet*, outside City Hall at 7:00 p.m.
- April 25, 2019, City Commission Meeting Regular at 6:00 p.m.

ACTION: 6:23:59 PM. For informational purposes.

**10. ADJOURNMENT**

**There being no further business to come before the city commission, the meeting adjourned at 6:24 p.m.**

The minutes were approved at the April 11, 2019 regular meeting.

Signed \_\_\_\_\_

Esther B. Coulson, City Clerk

Signed \_\_\_\_\_

Chris Cheshire, Mayor