

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
May 23, 2019**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, May 23, 2019 at 6:00 p.m.

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

Member Absent: Commissioner Chris Bell

Also Present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce, Lieutenant Henry Rains, Police Officer John Simone, Police Department; Deputy Fire Chief Tim Yoder, Fire Department; Human Resources Director Diana Kolcun; Deputy City Clerk Dana M. Coleman and City Clerk Esther 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 Police Chief Luce led in the Pledge of Allegiance to the flag.

2. ROLL CALL

ACTION: 6:01:13 PM and 6:01:25 PM At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was present.

On motion of Commissioner Mobilian, seconded by Vice Mayor Gunter and unanimously carried, the city commission excused the absence of Commissioner Bell.

Agenda Update

ACTION 6:01:35 PM **By unanimous consent, the city commission accepted this evening's agenda to include the addition of Resolution 2019-023 to Item 5.(b) and the inclusion of the city attorney's report to Item 6.(b)**

3. PROCLAMATION – MEMORIAM – May 23, 2019 Willard “Bill” McClure Day On behalf of the city commission, Mayor Cheshire read into the record, a proclamation proclaiming Thursday, May 28, 2019 as *Willard “Bill” McClure Day* (the city's former elected official who passed away on May 3, 2019) and expressed sincere condolences to his family and loved ones.

ACTION 6:01:57 PM Ms. Edna McClure accepted with much gratitude the proclamation and the March 28, 1977 letter from Melanie McClure, their daughter, expressing dissatisfaction with the “leash law” incorporated with a signed petition by the community.

4. **CONSENT AGENDA**
Approval of Minutes
May 9, 2019 regular meeting.

ACTION: 6:05:37 PM **On motion of Commissioner DeGrave, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the consent agenda.**

5. **REGULAR AGENDA**

(a) **City Commission Meeting Schedule Discussion**

After Mayor Cheshire addressed the city commission meeting schedule, Ms. Racine recommended that the city commission move the proposed September 2019 budget public hearing meetings up by one week.

ACTION: 6:05:53 PM **On motion of Commissioner DeGrave, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the budget calendar for 2019 reflecting the change for the proposed budget public hearings to be held on September 5, and September 26, 2019 respectively.**

(b) **Resolution 2019-023 - Lake County Debris Collection ILA Renewal**

Ms. Geraci-Carver read into the record proposed Resolution 2019-023, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ELECTING TO UTILIZE LAKE COUNTY FOR COLLECTION OF STORM DEBRIS PURSUANT TO THE TERMS OF THE INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK, FLORIDA FOR COLLECTION OF STORM DEBRIS FROM STREETS AND RIGHT OF WAY; PROVIDING DIRECTIONS TO THE CITY MANAGER; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:07:07 **A motion was made by Commissioner DeGrave and seconded by Vice Mayor Gunter that the city commission deny Resolution 2019-023 as previously cited.**

Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously. (The city manager agreed to write a letter to Lake County Public Works Environmental Services Division informing them of the city's commission's action.)

(c) **Resolution 2019-022 Fire Inspection Fees**

Ms. Geraci-Carver read into the record proposed Resolution 2019-022, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING FEES FOR FIRE INSPECTIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:31:19 PM A motion was made by Commissioner DeGrave and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2019-022 as previously cited.

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

PUBLIC HEARING

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

(d) Resolution 2019-018 - Picciola Reserve Phase 2 Minor Lot Split – Petitioner: Live Oak Enterprises LLC

Ms. Geraci-Carver read into the record proposed Resolution 2019-018, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING LOT SPLIT APPROVAL OF PROPERTY LOCATED NORTHWEST OF PICCIOLA ROAD AND SOUTH OF WOOD DUCK LANE, FRUITLAND PARK, FLORIDA, OWNED BY LIVE OAK ENTERPRISES, LLC; PROVIDING FOR A NOTICE TO BE RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE. Need affidavit

ACTION: 6:25:02 PM A motion was made by Vice Mayor Gunter and seconded by Commissioner DeGrave that the city commission adopt Resolution 2019-018 as previously cited.

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

(e) Second Reading and Public Hearing – Ordinance 2019-002 Fire Inspection Fees

It now being the time advertised to hold a public hearing to consider the enactment of the following proposed ordinance to read “2019-002”, after Ms. Geraci-Carver read the title into the record, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; AMENDING SECTION 99.110, IN CHAPTER 99 OF THE CODE OF ORDINANCES TO AUTHORIZE THE ADOPTION OF FIRE INSPECTION FEES BY RESOLUTION; REPEALING FEES FOR BURN PERMITS; PROVIDING FOR INCLUSION IN THE CODE, SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on April 25, 2019.)

ACTION: 6:25:10 PM A motion was made by Commissioner Mobilian and seconded by Commissioner DeGrave that the city commission enact Ordinance 2019-002, as previously cited, to become effective immediately as provided by law.

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

END OF PUBLIC HEARING

6. OFFICERS' REPORTS

(a) City Manager

i. Economic Development Status Update

With respect to the economic development, Mr. La Venia referred to the additional information provided by the applicant for the Community Redevelopment Agency (CRA) Small Business Façade Improvement Matching Grant Program and addressed his plan to review said application with the applicant before it is considered before the Community Redevelopment Agency at its June 27, 2019 meeting.

ACTION: 6:32:29 PM For informational purposes.

ii. Police Department Patrol Vehicle Purchase Discussion

Chief Luce noted the following bids for two police patrol vehicles; recognized the current status vehicles in the fleet and identified the remaining funds that were allocated towards the purchase of same:

- Auto Nation, \$23,096,
- Garber Fleet Sales, \$23,248 and
- Prestige Ford, \$23,500

Recognizing the cost savings, Chief Luce recommended the selection of two fully equipped Dodge Chargers (patrol units) for \$69,350 from Auto Nation. .

ACTION: 6:33:08 PM **On motion of Commissioner DeGrave, seconded by Commissioner Mobilian and unanimously carried, the city commission accepted the police chief's recommendation and authorized the expenditure of up to \$70,000 for two fully equipped patrol vehicles. (The lowest responsive and responsible bidder, Auto Nation.)**

iii. Conservation Trail at Kauska Way - Traffic Study Discussion

Chief Luce reviewed the results of the recent traffic study conducted by the police department on Conservation Trail at Kauska Way and recommended a four-way stop sign.

ACTION: 6:39:26 PM **By unanimous consent, the city commission agreed to direct the city attorney to draft an ordinance for the installation of a four-way stop sign for Conservation Trail at Kauska Way in The Villages of Fruitland Park for consideration at a future meeting.**

iv. City of Fruitland Park Maps

Mr. La Venia referred to his meeting with Ms. Kelley and the vendor from Ultrex Printing Inc. earlier this day on the plan to distribute and sell unofficial city maps recognizing that the official map will not be available until the completion of the city's Land Development Regulations.

ACTION: 6:42:55 The city commission took no action on the item; however, it was agreed that the issue will be addressed during the FY 2019/20 budget process.

v. CR 466A Roadway Improvement

Mr. La Venia referred to a recent newspaper article and noted the extended anticipated completion date for CR 466A Phase III (county project) to be November 2019.

ACTION : 6:48:13 PM For informational purposes.

(b) City Attorney

i. Notice of Claim – James Hartson

Ms. Geraci-Carver explained that there are no updates for the notice of claim for Mr. James Hartson.

ACTION: 6:48:38 PM No action was necessary.

ii. Notice of Claim – Michael Fewless

Ms. Geraci-Carver indicated that she has not seen any ruling resulting from Mr. Michael Fewless' case appealing his decision of the Florida Retirement System (FRS).

ACTION: 6:48:38 PM No action was necessary.

iii. Burke's-Bar-B-Que

Ms. Geraci-Carver reported that the deadline for Mr. T. D. Burke, Burke's Bar-B-Que Company, (to connect to the city's water and wastewater system) will be on June 19, 2019 and explained that he has not, to date, applied for review of the utility lines being installed.

ACTION: 6:49:00 PM No action was necessary.

iv. FRS

Ms. Geraci-Carver relayed her review of FRS Resolution 2014-015 together with the State of Florida Department of Management Services, Division of Retirement's agreement which revealed *once this agreement is made and approved it may not be revoked* . . . and noted that language could be found in Florida Statutes (Chapter 121) on the withdrawal from same. She suggested the next step for her, together with Mr. La Venia and staff authorized as the city's FRS representative, would be to telephone FRS and make inquiries on the subject issue.

ACTION: 6:49:04 PM **By unanimous consent, the city commission accepted the city attorney's suggestion to proceed with the next step as previously cited.**

7. PUBLIC COMMENTS

In response to Mr. La Venia's estimated completion date on the existing CR 466A roadway improvements, Mr. Carl Yauk, Villages of Fruitland Park resident, gave reasons why he is not in favor of the county performing the "first "push" (initial debris collection activities) within city limits.

Mr. Vance Jochim, Lake County resident, expressed concerns on the inability to access documents on the city's website and mentioned his awareness of the Americans with Disabilities Act compliance requirements. He recognized the existing ramifications to local governmental agencies noting their efforts to remediate same and expressed concerns on the lack of notification in this regard from various governmental membership organizations.

Mr. Jochim recommended that the city commission take action to invite the local congressional delegate to provide an explanation on the purpose of the United States Department of Justice mandate to the local governments.

ACTION: 6:50:31 PM No action was taken.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

i. CR 466A Roadway Improvement

Commissioner Mobilian acknowledged Mr. Yauk's concerns regarding CR 466A Phase III roadway improvements and the city commission's current review of increasing businesses into the area.

Commissioner Mobilian addressed his disappointment with the current reduction of funding for said roadway; recognized the city having to revert back to advocate for a position on the CR 466A roadway project priority list and noted the potential consequences as a result of the project's delay.

ACTION 6:55:30 PM No action was taken.

ii. Conservation Trail at Kauska Way - Traffic Study

Commissioner Mobilian commended Chief Luce and Police Officer Simone for the work they conducted on the traffic study for Conservation Trail at Kauska Way.

ACTION: 6:56:13 PM No action was taken.

(b) Commissioner DeGrave

Commissioner DeGrave referred to The Villages Daily Sun's article featuring on its front page "Villagers Give Boost to Fruitland Park 143% Population Spike Over Eight Years Leads Florida" and acknowledged the comments from Mayor Cheshire and staff; a copy of the article is filed with the supplemental papers to the minutes of this meeting.

ACTION: 6:56:25 PM No action was necessary.

(c) Commissioner Bell

Commissioner Bell was absent from this evening's meeting.

ACTION 6:55:43 PM No action was taken.

(d) Vice Mayor Gunter, Jr.

Vice Mayor Gunter announced that he has nothing to report at this evening's meeting.

ACTION 6:55:43 PM No action was taken.

9. MAYOR'S COMMENTS

(a) CR 466A Roadway Improvement

In reiterating Commissioner Mobilian's sentiments, Mayor Cheshire suggested that Mr. La Venia make arrangements to seek and obtain the remaining funds from the county on its plans to complete CR 466A Phase III roadway improvements.

ACTION 6:55:49 PM No action was taken.

(b) Dates to Remember

Mayor Cheshire announced the following events:

- May 27, 2019, City Hall closed in observance of Memorial Day;
- June 4, 2019, Northwest Lake Community Park/Cales Park Multipurpose Soccer Field (Recreation) Complex Ribbon-Cutting Ceremony, 500 Shiloh Street, Fruitland Park, Florida at 10:00 a.m. where Vice Mayor Gunter and Commissioner Mobilian agreed to be in attendance;
- June 13, 2019, City Commission Meeting Regular at 6:00 p.m.;
- June 14, 2019, LCLC, Lake County Property Appraiser's Office *Preliminary Tax Roll 2019*, Lake Receptions, 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.;
- June 14, 2019, Movie on the Lawn *Instant Family*, outside City Hall at 7:00 p.m.;
- June 26, 2019, Lake-Sumter Metropolitan Planning Organization (MPO), Governing Board Meeting, MPO Office, Suite 217, 225 W. Guava Street Lady Lake, Florida 32159 at 2:00 p.m., and
- June 27, 2019, City Commission Meeting Regular at 6:00 p.m.

ACTION: 6:55:49 PM No action was taken.

10. ADJOURNMENT

There being no further business to come before the city commission, the meeting adjourned at 6:58 p.m.

The minutes were approved at the June 13, 2019 regular meeting.

Signed _____
Esther B. Coulson, City Clerk

Signed _____
Chris Cheshire, Mayor