

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES**

**August 22, 2019**

City Hall Commission Chambers

506 W. Berckman Street

Fruitland Park, Florida 34731

**6:00 p.m.**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, August 22, 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; Police Chief Erik Luce; Interim Fire Chief Donald Gilpin; Deputy Fire Chief Tim Yoder, and Firefighter Brandon Cutter, Fire Department; Public Works Director Dale Bogle; Community Development Director Tracy Kelley; City Treasurer Jeannine Racine 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, Overseer Jerry Kingery, Heritage Community Church, gave the invocation, and Chief Luce led in the Pledge of Allegiance to the flag.

**2. ROLL CALL**

**ACTION:** 6:01:34 PM After Mayor Cheshire's requested that Ms. Coulson called the roll where a quorum was declared present, he announced the decorum at this evening's meeting.

**3. LOCAL PLANNING AGENCY**

As soon as practical at 6:15 p.m., recess to the Local Planning Agency meeting

**ACTION:** 6:02:50 PM **By unanimous consent, the city commission recessed its meeting at 6:03 p.m. to the Local Planning Agency and reconvened at 6:25 p.m.**

**4. CONSENT AGENDA**

**Approval of Minutes**

August 8, 2019 regular meeting minutes.

**ACTION:** 6:25:28 PM **On motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the consent agenda as previously cited.**

5. **REGULAR AGENDA**

(a) **Resolution 2019-036 - PRM's Property and Casualty Insurance Coverages Proposal – FY 2019-20**

Ms. Geraci-Carver read into the record proposed Resolution 2019-036, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO OBTAIN INSURANCE FROM PUBLIC RISK MANAGEMENT OF FLORIDA FOR COVERAGE EFFECTIVE OCTOBER 1, 2019; PROVIDING FOR AN EFFECTIVE DATE.

**ACTION:** 6:25:44 PM. After discussion, a motion was made by Commissioner Mobilian and seconded by Commissioner DeGrave that the city commission adopt Resolution 2019-036 as previously cited.

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

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

**PUBLIC HEARING**

(b) **First Reading – Ordinance 2019-012 Sewer Impact Fee**

After Ms. Geraci-Carver read into the record proposed Resolution 2019-012, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING WASTEWATER IMPACT FEE PROVISIONS IN CHAPTER 37 OF THE CODE OF ORDINANCES; PROVIDING FOR CODIFICATION, SEVERABILITY AND CONFLICTS, AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on September 5, 2019.)

Mr. La Venia recognized that additional research has been conducted which can be amended at the second reading and pointed out the typographical error shown on page three, subsection 37.04, Imposition of wastewater impact fee, to read: \$3,172 and not \$3,1720, Ms. Geraci-Carver confirmed that she will make the change.

**ACTION:** 6:30:52 PM. After discussion, a motion was made by Vice Mayor Gunter and seconded by Commissioner Mobilian that the city commission approve proposed Ordinance 2019-012 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.**

#### QUASI-JUDICIAL PUBLIC HEARING

- (c) **Quasi-Judicial Public Hearing – First Reading - Ordinance 2019-003 – Rezoning – Petitioner: Leesburg Fruit Company Rufus M. Holloway, Trustee/Holloway Properties, Inc.**

It now being the time advertised to hold a public hearing and after Ms. Geraci-Carver read into the record proposed 2019-036, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 177 ± ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND EAST OF CR 468 FROM COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) TO MIXED USE PLANNED UNIT DEVELOPMENT (MUPUD), 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 SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on September 5, 2019.)

**ACTION: 6:33:57 PM. By unanimous consent, the city commission accepted staff's request to transmit the testimony heard earlier before the Local Planning Agency this evening.**

**A motion was made by Vice Mayor Gutner and seconded by Commissioner Mobilian that the city commission accept the Local Planning Agency's recommendation of approval on proposed Ordinance 2019-003 as amended.**

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**

**END OF PUBLIC HEARING**

**OFFICERS' REPORTS**

**(a) City Manager**

**i. Economic Development Status Update**

Mr. La Venia described the following quotations received for the city's roadways to be considered before the next Community Redevelopment Agency meeting:

- Paquette Inc.; \$115,536 (lowest and responsible bidder piggyback from Lake County's contract);
- Ciraco Underground Inc;- \$188,000, and
- CW Roberts who requested not to be included in the project.

**ACTION:** 6:36:15 PM No action was necessary recognizing that it was a previously budgeted item.

**ii. Florida Medical Industries Inc.**

Mr. La Venia reported that Mr. Michael "Mike" Whiting, the first lien holder on Florida Medical Industries Inc. (the glass thermometer manufacturing company), has submitted the asbestos survey report for the property located on 3131 US Highway 27/441 earlier this day which passed; however, he has not yet utilized the city's demolition permit application for said building where the fees are \$500. Mr. La Venia recalled the city commission's actions at its July 11, 2019 regular meeting accepting Mr. Whiting's request nullifying the order of fine accrued for \$47,000 and relayed Mr. Whiting's request to waive the permit fees.

**ACTION:** 6:37:11 PM and 6:39:09 PM. **By unanimous consent, the city commission determined not to waive the permit fee of \$500.00.**

**iii. Naming of the Recreation Center**

Mr. La Venia relayed discussions held with Ms. Michelle Yoder, Parks and Recreation Director, earlier this day on the naming of the city's recreation center as: "Fruitland Park Receptions", "Fruitland Park Civic Center" or "Fruitland Park Community Center" before placing orders for city signs.

**ACTION:** 6:38:00 PM **By unanimous consent, the city commission agreed with the naming of the recreation center as "The Community Center".**

**(b) City Attorney**

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

Ms. Geraci-Carver stated that there is nothing new to report on the notice of claim for Mr. James Hartson.

ACTION: 6:40:00 PM No action was taken.

**ii. Planning and Zoning Board Training**

Ms. Geraci-Carver reported that training was conducted for the Planning and Zoning (P&Z) Board on August 15, 2019.

Vice Mayor Gunter referred to the “Amending the Community Redevelopment Act”: What the 2019 Legislative Changes Mean to Your City presentation that was held on August 16, 2019 at the 2019 Florida League of Cities’ (FLC’s) 93<sup>rd</sup> Annual Conference and questioned the requirements for two (civilian) members to serve on the Community Redevelopment Agency (CRA) boards.

In response, Ms. Geraci-Carver pointed out the CRA requirements (sections 163.356 and 112.3142 FS) generally reflecting community members serving as either residents or business owners within the CRA; indicated that she will review the city’s establishment of same, and acknowledged HB 9, CRAs.

ACTION: 6:40:05 PM No action was taken.

**7. PUBLIC COMMENTS**

No one from the public appeared before the city commission.

ACTION: 6:42:25 PM No action was necessary.

**8. COMMISSIONERS’ COMMENTS**

**(a) Commissioner Mobilian – Lake MPO Governing Board Meeting**

In response to Commissioner Mobilian’s reference on his intent to attend the Lake-Sumter Metropolitan Planning Organization (MPO), Governing Board meeting as it relates to CR 466A roadway improvements, Mayor Cheshire noted the cancellation of same.

ACTION: 6:42:39 PM No action was taken.

**(b) Commissioner DeGrave - 2019 FLC’s 93<sup>rd</sup> Annual Conference**

Commissioner DeGrave thanked the city for allowing him to attend the 2019 FLC’s 93<sup>rd</sup> Annual Conference.

Later in the meeting, Commissioner DeGrave referred to the conference’s August 15, 2019 presentation on ADA Compliance on City Websites: *Navigating*

*the Legal and Website Challenges*; in passing you mentioned that Municode (aha) has a less expensive alternative (Commonplace software); but they have not reached out to CC; however; she attended Laserfiche®, (Municode) webinar earlier this morning who have not yet grasped ADA requirements but will be reviewing how it can deal with weblinks on the website, a cheaper version and they will be working on that and it is a process.

ACTION: 6:43:09 PM and 6:48:34 PM No action was necessary.

(c) **Commissioner Bell**

i. **2019- FLC's 93<sup>rd</sup> Annual Conference**

Commissioner Bell noted the 2019- FLC's 93<sup>rd</sup> Annual Conference and addressed his concerns on the requirements imposed by the state as it relates to volunteers.

ACTION: 6:43:30 PM as it relates to volunteers

ii. **Northwest Lake Community/Cales Park Multipurpose Soccer Field**

Commissioner Bell pointed out Mr. La Venia's recent appearance before the Lake County Board of County Commissioners regarding the Infrastructure Sales Tax Project (Five-Year Plan).

Mr. La Venia relayed his testimony reiterating the request to allocate grant funding towards needed improvements at Northwest Lake Community Park/Cales Park Multipurpose Soccer Field (Recreation) Complex and referred to the number of correspondence he has written to the county manager and the office of parks and trails director requesting that the \$605,000 be earmarked.

Commissioner Bell requested to be included in the five-year plan program

ACTION: 6:44:03 PM No action was taken.

(d) **Vice Mayor Gunter, Jr. - 2019- FLC's 93<sup>rd</sup> Annual Conference**

Vice Mayor Gunter referred to his attendance at the 2019- FLC's 93<sup>rd</sup> Annual Conference and shared the same sentiments previously cited.

ACTION: 6:47:47 PM No action was taken.

9. **MAYOR'S COMMENTS**

(a) **LDR Workshop**

Mayor Cheshire addressed the need to establish the next LDR workshop.

ACTION: 6:49:37 PM After discussion and by **unanimous consent, the city commission agreed to hold a workshop meeting on Thursday, September 26, 2019 at 6:00 p.m. to review the Land Development Regulations.**

**(b) Grant Programs**

In response to Mayor Cheshire's reference to the various available grant programs, Mr. La Venia identified the county's Community Development Block Grant (CDBG) program criteria and addressed the need to retain another grant writer for the city.

**ACTION: 6:53:22 PM By unanimous consent and upon Commissioner DeGrave's suggestion, the city commission directed the city manager to contact Lake County to initiate participation in the county's Community Development Block Grant (CDBG) funding program, as an entitlement county, to secure grant funds and to seek a grant writer for the city.**

**(c) Dates to Remember**

Mayor Cheshire recognized the following events:


- August 28, 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. - Cancelled;
- September 2, 2019, Labor Day – City Offices Closed;
- September 5, 2019, City Commission Meeting Special at 6:00 p.m.;
- September 9, 2019, Lake County Arts and Cultural Alliance, Agency for Economic Prosperity, 20763 U.S. Highway 27, Groveland, Florida 34736 at 3:00 p.m.;
- September 13, 2019, LCLC, Lake County Sheriff Peyton Grinnell, Lake Receptions, 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.;
- September 19, 2019 Village Institute of Plastic Surgery Grand Opening Ribbon-Cutting, 607 CR 466A, Fruitland Park, Florida 34731 at 3:00 p.m.;
- September 19, 2019, City Commission Meeting Special at 6:30 p.m. (immediately following the P&Z Board at 6:00 p.m.) and
- September 26, 2019, City Commission Workshop at 6:00 p.m.

**ACTION: 6:58:35 PM No action was necessary.**

**10. ADJOURNMENT**

**The meeting adjourned at 7:00 p.m.**

The minutes were approved at the October 10, 2019 regular meeting.

Signed   
Esther B. Coulson, City Clerk

Signed   
Chris Cheshire, Mayor