

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
March 26, 2020**

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, March 26, 2020 at 6:00 p.m.

**Members Present:** Mayor Chris Cheshire, Commissioners Patrick DeGrave and John Mobilian. Vice Mayor John L. Gunter, Jr. and Commissioner Christopher Bell were present by telephonic conference call.

**Also Present:** City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Lieutenant Henry Rains, Police Department; Deputy Fire Chief Tim Yoder, Tracy Kelley, Community Development Department Director, and City Clerk Esther B. Coulson.

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

ACTION: 6:00:23 PM Mayor Cheshire called the meeting to order and Lieutenant Rains led in the Pledge of Allegiance to the flag.

**2. ROLL CALL**

ACTION: 6:01:18 PM Mayor Cheshire requested that Ms. Coulson call the roll and a quorum was declared present.

**3. CONSENT AGENDA**

**Approval of Minutes – March 12, 2020 regular meeting.**

ACTION: 6:01:08 PM **On motion of Commissioner DeGrave, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the consent agenda.**

**4. REGULAR AGENDA**

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

**PUBLIC HEARING**

**(a) First Reading and Public Hearing – Ordinance 2020-003 Solid Waste Rates Increase**

After Ms. Geraci-Carver read into the record proposed Ordinance 2020-003, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AMENDING SECTION 99.40 TO INCREASE THE SOLID WASTE RATES BY 2% WITH RATES EFFECTIVE AS OF JANUARY 1, 2020; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on April 16, 2020.)

**ACTION: 6:01:29 PM After discussion a motion was made by Commissioner Mobilian and seconded by Commissioner DeGrave that the city commission approve Ordinance 2020-003 as previously cited.**

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

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

#### **END OF PUBLIC HEARING**

#### **QUASI-JUDICIAL PUBLIC HEARING**

- (b) First Reading and Quasi-Judicial Public Hearing – Ordinance 2020-002 – CUMC Rezoning – Petitioner: Community United Methodist Church of Fruitland Park Inc.**

After Ms. Geraci-Carver read into the record the title of the following proposed Ordinance 2020-002 and swore in Ms. Kelley who intended to testify, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 0.28 ± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF W. FOUNTAIN STREET AND EAST OF COLLEGE AVE. FROM SF MEDIUM DENSITY (R-2) TO THE DESIGNATION OF PUBLIC FACILITIES DISTRICT (PFD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; 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 April 16, 2020.)

**ACTION: 6:04:03 PM After Ms. Kelley described the subject item, a motion was made by Commissioner Bell and seconded by Commissioner Gunter that the city commission approve the previously cited Ordinance 2020-002.**

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

**END OF QUASI-JUDICIAL PUBLIC HEARING**

**6. OFFICERS' REPORTS**

**(a) City Manager**

**i. Economic Development Status Update**

Mr. La Venia gave a status update on the 2020 Community Redevelopment Agency Grant Façade Improvement Program Application which will be sent by US mail to small business owners in the city encouraging them to apply.

ACTION: 6:07:27 PM No action was taken.

**ii. COVID-19 Status Update**

Mr. La Venia referred to his memorandum dated March 17, 2020 regarding City Hall's Preparation and Protective Actions taken relating to COVID-19; a copy of which is filed with the supplemental papers to the minutes of this meeting.

ACTION: 6:08:10 PM and 6:14:44 PM **On motion of Commissioner Mobilian, seconded by Commissioner DeGrave and unanimously carried, the city commission approved the city manager's recommendation to hold a special city commission meeting on Thursday, April 16, 2020 and cancel the regularly scheduled meetings on April 9 and 23, 2020 respectively.**

After discussion and **on motion of Commissioner Mobilian, seconded by Commissioner DeGrave and unanimously carried, the city commission approved waiving the delinquent fee, following the March 10, 2020 billing date for water services and approved waiving the meter disconnection fee until the conclusion of the Coronavirus Disease 2019 pandemic.**

**(b) City Attorney**

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

Ms. Geraci-Carver reported that there is nothing to report on the James Hartson notice of claim.

ACTION: 6:15:40 PM No action was taken.

ii. **City of Fruitland Park v. T. D. Burke**

Ms. Geraci-Carver referred to the discovery issued related to T. D. Burke's case and anticipated receiving answers where the city would be in a position to prepare a motion for a summary judgement and not proceed with a trial.

ACTION: 6:15:40 PM No action was taken.

iii. **City of Fruitland Park v. State of Florida Department of Management Services**

Ms. Geraci-Carver reported on correspondence she observed during the week on the State of Florida Department of Management Services where a June or July 2020 hearing was set and that it would be postponed.

ACTION: 6:16:03 PM. No action was taken.

iv. **Michael and Laurie Fewless v. City of Fruitland Park**

With respect to the Michael and Laurie Fewless' case, Ms. Geraci-Carver reported on the closure of the courts; recognized that Mr. Glenn Thomas, Lewis, Longman & Walker P.A. (attorney retained by the city), is working on the motion to dismiss (difficult to attain at this time due to the court system), and referred to the discovery responses received by the city.

ACTION: 6:16:20 PM. No action was taken.

7. **PUBLIC COMMENTS**

There were no public comments at this time.

ACTION: 6:16:53 PM. No action was taken.

8. **COMMISSIONERS' COMMENTS**

(a) **Commissioner Mobilian - COVID-19 Food Banks**

Commissioner Mobilian recognized a food pantry's struggle to meet the growing needs of the community and questioned the city's assistance

Mayor Cheshire acknowledged the March 22, 2020 Daily Commercial newspaper article *Like Pantries Work to Keep up with Increased Demands*; identified the food pantries in the city, and suggested donating extra food as the best method for residents is to which Ms. Geraci-Carver pointed out the Second Harvest Food Bank of Central Florida where donations can be made for pennies on the dollar.

[https://www.feedhopenow.org/site/Donation2?idb=0&df\\_id=5423&mfc\\_pref=T&5423.donation=form1&s\\_src=hometext&s\\_subsrc=link\\_coronavirus](https://www.feedhopenow.org/site/Donation2?idb=0&df_id=5423&mfc_pref=T&5423.donation=form1&s_src=hometext&s_subsrc=link_coronavirus)

Lieutenant Rains described the Lake County Schools providing free take-home meals to Fruitland Park Elementary school students during March 23 to 27, 2020.

ACTION: 6:17:00 PM. No action was taken.

**(b) Commissioner DeGrave**

Commissioner DeGrave stated that had no comments at this time.

ACTION: 6:19:38 PM. No action was taken.

**(c) Commissioner Bell - COVID-19**

Commissioner Bell referred to Mr. La Venia's remarks regarding the success in channels of communication pertaining to COVID-19 among the cities, counties, state and federal agencies.

ACTION: 6:19:42 PM. No action was taken.

**(d) Vice Mayor Gunter, Jr. – COVID-19**

Vice Mayor Gunter voiced his concurrence with Commissioner Bell's statements and reminded everyone on the mandatory safety precautions.

ACTION: 6:20:24 PM. No action was taken.

**9. MAYOR'S COMMENTS**

**(a) Dates to Remember**

- April 9, 2020 regular meeting at 6:00 p.m. CANCELLED,
- April 16, 2020 special meeting at 6:00 p.m., and
- April 23, 2020 regular meeting at 6:00 p.m. CANCELLED

ACTION: 6:20:40 PM. No action was taken.

**(b) COVID-19**

Mayor Cheshire mentioned his constant communication with Mr. La Venia regarding the COVID-19 events and commended the employees on a job well done.

ACTION: 6:20:53 PM. No action was taken.

**10. ADJOURNMENT**

The meeting adjourned at 6:21 p.m.

The minutes were approved at the April 16, 2020 special meeting.

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

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