

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
October 22, 2020**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, October 22, 2020 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; Police Chief Erik Luce; Public Works Director Robb Dicus; Community Development Administrative Assistant Kelly Turner; Deputy City Clerk Jabari Hopkins, and City Clerk Esther B. Coulson.

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

After Mayor Cheshire called the meeting to order, Reverend Dennis R. Langford, Covenant Life Church of God, gave the invocation and Chief Luce led in the Pledge of Allegiance to the flag,

ACTION: 6:00:00 p.m. No action was taken.

**2. ROLL CALL**

Mayor Cheshire requested that Ms. Coulson call the roll where a quorum was declared present and he announced the decorum for this evening's meeting.

ACTION: 6:01:29 p.m. Upon Mayor Cheshire's suggestion and **by unanimous consent, the city commission accepted the change to this evening's agenda under regular agenda Item 6.(f), Second Reading and Public Hearing on proposed Ordinance 2020-010 SRF Revolving Loan Agreement Pledge of Funds to include the addendum, legal opinion dated October 14, 2020 from Michael Williams, Attorney, Akerman.**

**3. SPECIAL PRESENTATIONS**

**(a) 2020 Officer of the Year Recognition**

Chief Luce recalled the introduction of Officer Courtney Stewart, Police Department, to the city commission at its November 14, 2019 regular meeting. He expressed appreciation for her work ethic; recognized her continuous service to the community (both in the old Fruitland Park and the Villages of Fruitland Park), and relayed the recommendation from staff to recognize her as *Officer of the Year* where she was presented with the *Fruitland Park Police Department Officer of the Year for 2020 Award*.

ACTION: 6:02:20 p.m. The city commission congratulated Officer Stewart who accepted the recognition with honor.

**(b) Guide Dogs Training – City Parks**

Ms. Lauri Carpenter, Southeastern Guide Dogs Inc. (a puppy raising group for Sumter, Marion and Western Lake Counties in Central Florida), introduced, at this evening's meeting, Puppy Cleo and Jim and Lyn Synott, puppy raisers for the group and City of Fruitland Park residents. She distributed Southeastern Guide Dogs' literatures on *Here's Why we do What we Do* and *Extraordinary Dogs Transforming Lives* and described the not-for-profit organization's dog breeding, raising, training and matching partnership program with services offered to individuals involving the guide and veterans' service dogs. (Copies of the literatures are filed with the supplemental papers to the minutes of this meeting.)

Due to the Coronavirus Disease 2019 (COVID-19), Ms. Carpenter addressed the problems the leadership teams have in holding inside meetings and requested holding monthly dogs-in-training meetings for individuals who use public transportation and need special accommodations at either Gardenia or Veteran's Memorial Parks starting January 2021 on the third Friday from 10:00 a.m. to noon.

At Mayor Cheshire's request, Ms. Geraci-Carver identified subsection 95.27, Domestic Animals, Ordinance 312 and confirmed -- in response to Mr. Synott's description on the periodical reports and harness training program conducted by Southeastern Guide Dogs -- that the previously cited activities would comply with said ordinance.

**ACTION: 6:06:24 p.m. After discussion and by unanimous consent, the city commission accepted the request from Southeastern Guide Dogs Inc to hold training programs as previously cited and that arrangements be made with the Parks and Recreation Director in this regard.**

**4. LOCAL PLANNING AGENCY**

**By unanimous consent, the city commission recessed its meeting at 6:19 p.m. to convene to the Local Planning Agency meeting scheduled for 6:15 p.m. and reconvened at 6:41 p.m.**

**5. CONSENT AGENDA**

**(a) Approval of Minutes**

October 8, 2020 regular

**(b) Resolution 2020-062 Firefighters Pension Trust Fund (Fire Department) Appointment**

A RESOLUTION 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.

**ACTION: 6:41:14 p.m. A motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the city commission approve the consent agenda as previously cited.**

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

**6. REGULAR AGENDA**

**(a) Professional Grant Writing Services Agreement Discussion**

Mr. La Venia requested the city commission's permission to commence negotiations with one of the firms, Community Resource Management Inc. or Liberty Partners of Tallahassee LLC on the Professional Grant Writing Services Request for Qualifications 2020-02.

**ACTION: 6:41:52 pm. After discussion and on motion of Commissioner DeGrave, seconded by Mobilian and unanimously carried, the city commission selected and awarded the contract to Liberty Partners of Tallahassee LLC as the best qualified firm on Request for Qualifications 2020-02 Professional Grant Writing Services and directed the city manager to negotiate favorable terms on said contract.**

**(b) Resolution 2020-063 Commission Remuneration**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2020-063 the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA DETERMINING THE SALARY OF THE MAYOR AND CITY COMMISSIONERS; PROVIDING FOR AN EFFECTIVE DATE. 082307, 082406, 092602, 96-019 (VM) and 101096.

**ACTION: 6:43:46 p.m. A motion was made by Commissioner Bell and seconded by Commissioner Mobilian that the city commission adopt Resolution 2020-063 as previously cited.**

**Mayor Cheshire called for a roll call vote on the motion with the city commission members voting as follows:**

<b>Commissioner Bell</b>	<b>Yes</b>
<b>Commissioner Mobilian</b>	<b>Yes</b>
<b>Commissioner DeGrave</b>	<b>Yes</b>
<b>Vice Mayor Gunter</b>	<b>No</b>
<b>Mayor Cheshire</b>	<b>Yes</b>

**Mayor Cheshire declared the motion carried on a four-to-one (4-1) vote).**

**(c) Code Enforcement Vehicle Quotes**

Mr. La Venia reviewed the following new vehicle quotes for code enforcement:

- 2021 Chevy Silverado 1500 Crew Cab, Alan Jay, Sourcewell, \$27,442
- 2021 Chevrolet Silverado 1500, Alan Jay, GM \$36,360,
- 2020 F-150 4x2 Crew Cab, Bartow Ford \$29,891.42, and
- 2020 Ford F-150 XL Crew Cab, Prestige Ford \$28,360

**ACTION:** 6:44:40 p.m. After discussion and **on motion of Commissioner DeGrave, seconded by Commissioner Mobilian and unanimously carried the city commission accepted the city manager's recommendation to approve the vehicle purchase with Alan Jay, Sourcewell, the lowest bidder, for the 2021 Chevy Silverado 1500 Crew Cab for \$27,442.**

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

**PUBLIC HEARING**

**(d) First Reading and Public Hearing – Ordinance 2020-013 Elections**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2020-013 the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES RELATING TO ELECTIONS; REPEALING PROVISIONS NO LONGER APPLICABLE; AMENDING PROVISIONS TO COMPLY WITH FLORIDA LAW; PROVIDING FOR INCLUSION IN THE CODE, SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.  
(The second reading will be held on November 12, 2020.)

**ACTION:** 6:46:40 p.m. After discussion, a motion was made by **Commissioner Bell and seconded by Commissioner DeGrave that the city commission approve Ordinance 2020-013 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.**

**(e) First Reading and Public Hearing – Ordinance 2020-011 Solid Waste Rates**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2020-011 the substance of which is as follows:

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, 2021; 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 November 12, 2020.)

The city commission discussed its preference to address renegotiations early Spring 2021 on the costs of recycling and for Mr. La Venia to make arrangements with Waste Management Inc. to tour Covanta Energy Corporation, the waste-to-energy incineration facility, in Okahumpka.

Mr. David Serdar, City of Fruitland Park Unincorporated Area Resident, addressed the importance of recycling and voiced support of the proposed ordinance.

**ACTION:** 6:50:04 p.m. After discussion, a motion was made by Commissioner Bell and seconded by Commissioner DeGrave that the city commission approve Ordinance 2020-011 as previously cited.

**By unanimous consent, the mayor closed the public hearing.**

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

**(f) Second Reading and Public Hearing – Ordinance 2020-010 SRF Revolving Loan Agreement Pledge of Funds**

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2020-010, after Ms. Geraci-Carver read the title, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE. (The first reading was held on October 8, 2020.)

After Mr. La Venia described the proposed ordinance, he pointed out the October 14, 2020 letter from bond counsel Mr. Michael D. Williams, Akerman, ,

regarding the subject SRF loan program; a copy of which is filed with the supplemental papers to the minutes of this meeting.

**ACTION: 7:02:19 p.m. A motion was made by Vice Mayor Gunter and seconded by Commissioner DeGrave that the city commission approve with addendum -- the aforementioned October 14, 2020 letter from Akerman -- and enact Ordinance 2020-010 to become effective immediately as provided by law.**

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

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

**(g) First Reading and Public Hearing – Ordinance 2020-005 Annexation (Boundary Amendment) 27.74 Acres – CR 466A-West of Oliver Lane - Petitioner: Lake County School District**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2020-005 the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 27.74 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER LANE; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER'S ERRORS; SETTING AN EFFECTIVE DATE.

(The second reading will be held on November 12, 2020.)

**By unanimous consent, the city commission accepted the request from Mr. Greg Beliveau, LPG Regional Urban Planners Inc., that the testimony submitted at the Local Planning Agency meeting earlier this evening be transferred to this evening's agenda.**

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

**ACTION: 7:07:28 p.m. A motion was made by Commissioner Mobilian and seconded by Vice Mayor Gunter that the city commission approve the**

**Local Planning Agency's recommendation of approval on proposed Ordinance 2020—005 as previously cited.**

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

**(h) First Reading Public Hearing – Ordinance 2020-006 Rezoning - Petitioner: Lake County School District**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2020-006 the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A LARGE SCALE COMPREHENSIVE PLAN AMENDMENT AND SITE SPECIFIC AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION TO COMMERCIAL HIGH INTENSITY OF 27.74 +/- ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF OLIVER LANE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on November 12, 2020.)

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

**ACTION: 7:09:50 p.m. A motion was made by Commissioner Mobilian and seconded by Vice Mayor Gunter that the city commission approve the Local Planning Agency's recommendation of approval on proposed Ordinance 2020—006 as previously cited and transmit same to the Florida Department of Community Affairs.**

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

**QUASI-JUDICIAL PUBLIC HEARING**

(i) **First Reading and Quasi-Judicial Public Hearing – Ordinance 2020-007 Rezoning - LSCPA – Petitioner: Lake County School District**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2020-007 the substance of which is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 27.74 ± ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO CITY OF FRUITLAND PARK COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on November 12, 2020.)

Mr. Beliveau requested that the city commission approve the proposed ordinance with the amendment to Section 7,

**ACTION:** 7:11:30 p.m. Upon Commissioner Bell's request, **the city commission by unanimous consent, agreed to direct the city manager to write a letter to the Lake County School Board to inform them on the lack of revenues to construct the proposed school in the City of Fruitland Park.**

**A motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission approve the Local Planning Agency's recommendation of approval on proposed Ordinance 2002-007, as amended, to include the direction 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.**

**END OF QUASI-JUDICIAL PUBLIC HEARING**



7. **OFFICERS' REPORTS**

(a) **City Manager**

i. **Economic Development Status Update -401 Acorn Circle Abandoned Property (CE2017-0032)**

Mr. La Venia referred to the city commission's actions at its October 10, 2019 regular meeting to develop a procedure to remove any property in violation of the city's right-of-way; pursue the Special Magistrate process in placing code liens and disposition of the fire-damaged property located on 32 Grizzard Street and the previously cited properties under Case Numbers CE2019-0043 and CE2017-0032 respectively (condemned as dangerous structures by the building official) and clear said properties to be placed under ownership.

Mr. La Venia reported on the August 11, 2017 Special Magistrate's Order of Enforcement on the subject property (Case Number CE2017-0032) and the order of fines issued which has since increased; recognized that the original property owner is deceased and the petitioner, Jennifer E. Marcial, is gone, and relayed the intent of the new owner -- Mr. Martavious "Marty" Bean who foreclosed on the subject property -- to demolish the structure by November 30, 2020.

Mr. La Venia conveyed Mr. Bean's concurrence to reimburse the costs associated with the subject final order to the city and requested that the city commission approve his recommendation, for the next meeting, to waive the fines; pay the costs associated with the Special Magistrate's final order, and direct Ms. Geraci-Carver to provide further information on same.

**ACTION: 7:14:32 p.m. and 7:15:36 p.m. By unanimous consent, the city commission accepted the city manager's recommendation, as previously cited, and directed the city attorney to prepare the fines and costs related to 401 Acorn Circle, Case CE2017-0032.**

ii. **COVID-19 Status Update**

Mr. La Venia had no status update report on the Coronavirus Disease 19 at this time.

**ACTION: 17:14:32 p.m. No action was taken.**

(b) **City Attorney**

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

Ms. Geraci-Carver reported that she has been communicating with the opposing counsel on the T. D. Burke case and indicated that more information will be provided at the next meeting. .

**ACTION: 7:17:27 p.m. No action was taken at this time.**

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

Ms. Geraci-Carver had nothing to report on the State of Florida Department of Management Services case.

ACTION: 7:17:27 p.m. No action was taken at this time.

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

Ms. Geraci-Carver had nothing to report on the Michael and Laurie Fewless case.

ACTION: 7:17:27 p.m. No action was taken at this time.

**iv. Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case No. 2020-CA-1026**

Ms. Geraci-Carver gave a report on the Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case foreclosure where he did not file a responsive pleading with Lake County Fifth Judicial Circuit Court within the time period after he was served; he received the October 8, 2020 clerk's default, and mentioned the procedures to foreclose on the property (located at 3131 US Highway 441/27). .

ACTION: 7:17:42 p.m. No action was taken at this time.

**8. UNFINISHED BUSINESS**

There was no unfinished business to come before the city commission at this time.

ACTION: 7:17:06 p.m. No action was taken.

**9. PUBLIC COMMENTS**

Mr. Serdar commended and thanked the Chief Luce and the law enforcement officers on their performance during COVID-19 within the city and around the country and voiced his concerns on the forthcoming general election.

ACTION: 7:17:22 p.m. No action was taken.

**10. COMMISSIONERS' COMMENTS**

**(a) Commissioner Mobilian**

Commissioner Mobilian indicated that he will provide more information after the Lake-Sumter Metropolitan Planning Organization (MPO) holds its meeting on October 28, 2020.

ACTION: 7:22:03 p.m. No action was taken.

**(b) Commissioner DeGrave**

Commissioner DeGrave stated that he has nothing to report at this time.

ACTION: 7:22:13 p.m. No action was taken.

**(c) Commissioner Bell - TDC**

Commissioner Bell reported on the last Lake County Tourist Development Council (TDC) meeting following-up the grant allocated to Sleepy Hollow Sports Complex in the City of Leesburg and the TDC's recommendation of approval to submit the funding request to the Lake County Board of County Commissioners to assist with the complex' improvements and promotion in preparation of the forthcoming event.

ACTION: 7:22:17 p.m. No action was taken.

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

Vice Mayor Gunter stated that he has nothing to report at this time.

ACTION: 7:22:15 p.m. No action was taken.

**11. MAYOR'S COMMENTS**

**Dates to Remember**

Mayor Cheshire announced the following events:

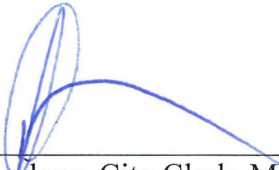
- October 28, 2020, Lake~Sumter Metropolitan Planning Organization (LSMPO) Governing Board Virtual Meeting, Lake~Sumter MPO Board Room, Suite 175, 1300 Citizens Boulevard, Leesburg, Florida 34748 at 2:00 p.m.;
- November 5, 2020 City Commission Meeting special at 6:00 p.m. – Cancelled;
- November 9, 2020, Lake County Office of Parks and Trails Advisory Board, Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;
- November 11, 2020 City Hall Closed, Veterans' Day;
- November 12, 2020 City Commission Meeting regular at 6:00 p.m.;
- November 20, 2020, *2020 Sponsor Appreciation Event*, Lake County League of Cities, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- November 26, 2020 City Hall Closed, Thanksgiving Day;
- November 27, 2020 City Hall Closed, Day After Thanksgiving Day;
- December 4, 2020, Christmas Luncheon, Recreation Center at 1:00 p.m.

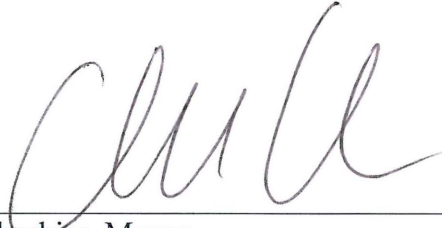
ACTION: 7:22:19 p.m. No action was taken.

**11. ADJOURNMENT**

**There being no further business to come before the city commission, the meeting adjourned at 7:24 p.m.**

The minutes were approved at the November 12, 2020 regular meeting.

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

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