

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
November 12, 2020**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, November 12, 2020 at 6:00 p.m.

**Members Present:** Mayor Chris Cheshire, Vice Mayor John L. Gunter Jr., Commissioners Christopher Bell, and John Mobilian.

Commissioner Patrick DeGrave entered the meeting room during the meeting as reflected in the minutes.

**Also Present:** City Manager Gary La Venia; City Attorney Anita Geraci-Carver; Denise Robbins, Deputy Finance Director; Police Chief Erik Luce; Public Works Director Robb Dicus; Community Development Department Director Tracy Kelley; Code Enforcement Officer Lori Davis; Parks and Recreation Director Michelle Yoder; Interim Fire Chief Don Gilpin; Deputy Fire Chief Tim Yoder; Lieutenant Madison Leary, and Firefighter Christopher Lewis, Fire Department; 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, Pastor Brian Broone, Heritage Community Church, 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**

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

ACTION: 6:03:59 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 7.(o), Ordinance 2020-007 Rezoning and Master Development Agreement to read "first reading"**.

**3. OATH OF OFFICE – SWEARING-IN CITY COMMISSIONERS**

After Mayor Cheshire acknowledged the unofficial results of the November 3, 2020 General Election, he announced that the official certified results would be made available by the December 10, 2020 regular meeting.

Ms. Coulson administered the oath of office to the following elected officials and welcomed them.

- (a) District 3 Commissioner**  
Chris Cheshire

- (b) **District 4 Commissioner**  
John L. Gunter Jr.
- (c) **District 5 Commissioner**  
Chris Bell

ACTION: 6:04:55 p.m. No action was taken.

**4. ANNUAL ELECTION OF OFFICERS**

- (a) **Mayor**  
Mayor Cheshire recognized the annual election of the position of mayor to be in order.

**ACTION: 6:07:37 p.m. Commissioner Mobilian placed in nomination the name of Chris Cheshire as mayor for 2020-21, the nomination was seconded Vice Mayor Gunter.**

Commissioner Bell referred to the 2014 Charter Review Committee’s review of the redistricting at five-districts with the annual rotation after the election of the mayor position or four commissioners and expressed preference on same.

**There being no further names placed for nomination, by unanimous consent, they were declared closed.**

**Mayor Cheshire called for a roll call vote to appoint Chris Cheshire as mayor for 2020-21 with the city commission members voting as follows:**

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

**The motion was declared carried with a three to one (3-1) vote.**

- (b) **Vice Mayor**  
Mayor Cheshire recognized the annual election of the position of vice mayor to be in order.

**ACTION: 6:09:25 p.m. Commissioner Mobilian placed in nomination the name of John L. Gunter Jr., as vice mayor for 2020-21, the nomination was seconded by Commissioner Bell.**

After discussion, **Vice Mayor Gunter placed in nomination the name of Chris Bell as vice mayor for 2020-21.** The nomination died for a lack of a second.

(Commissioner DeGrave entered the meeting room at this time.)

**Mayor Cheshire restated the motion on the floor to nominate John L. Gunter Jr. as Vice Mayor for 2020-21 for consideration and recognized the name of Patrick DeGrave as vice mayor for 2002-21 proffered by Vice Mayor Gunter which was subsequently declined by Commissioner DeGrave.**

**There being no further names placed in nomination and by unanimous consent, the nominations were declared closed.**

**Mayor Cheshire called for a roll call vote to appoint John L. Gunter Jr. for the position of vice mayor for 2020-21 with the city commission members voting as follows:**

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

**The motion was declared carried with a four to one (4-1) vote.** (Commissioner Bell reiterated reasons for the negative vote as reflected earlier on this evening's agenda under Item 4.(a).)

**5. LOCAL PLANNING AGENCY**

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

**ACTION:** 6:12:32 p.m. **By unanimous consent, the city commission recessed its meeting at 6:13 p.m. to the Local Planning Agency and reconvened 6:15 p.m.**

**6. CONSENT AGENDA**

**Approval of Minutes**

**On motion of Commissioner Bell, seconded by Commissioner DeGrave and unanimously carried, the city commission approved the October 22, 2020 minutes as submitted.**

**7. REGULAR AGENDA**

**(a) Resolution 2020-065 Lake County League of Cities Appointments**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2020-065, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER AND ALTERNATE TO THE LAKE COUNTY LEAGUE OF CITIES, INC.; PROVIDING THE TERM EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.



At Mayor Cheshire's request, Commissioner Bell accepted the Lake County League of Cities' (LCLC's) appointment as member and referred to the October 30, 2020 letter from Mr. Gary J. Cooney, Lake County Clerk of the Circuit Court and Comptroller, regarding Commissioner Bell's reappointment to the Lake County Parks, Recreation and Trails Advisory Board as the LCLC's Representative; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Vice Mayor Gunter accepted, upon the Mayor's request, the alternate director position on the LCLC.

**ACTION: 6:15:39 p.m. A motion was made by Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2020-065 with the reappointments of Commissioner Chris Bell as member and Vice Mayor John L. Gunter Jr., as alternate director.**

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

- (b) Lake County Educational Concurrency Review Committee Appointment**  
The city commission considered its action to appoint a member to serve on the Lake County Educational Concurrency Review Committee for one year.

**ACTION: 6:17:45 p.m. After Vice Mayor Gunter accepted, at Mayor Cheshire's request, the position to serve on the Lake County Educational Concurrency Review Committee for one year, and on motion of Commissioner Mobilian, seconded by Commissioner DeGrave and unanimously carried, the city commission approved the aforementioned reappointment.**

- (c) Lake~Sumter MPO Governing Board Appointments**  
The city commission considered its action to appoint a member and alternate to serve on the Lake~Sumter Metropolitan Planning Organization (LSMPO) Governing Board.

**ACTION: 6:18:09 p.m. 6:18:33 p.m. At Mayor Cheshire's request, after Commissioner Mobilian accepted the reappointment to serve on the LSMPO, on motion of Commissioner DeGrave, seconded by Commissioner Bell and unanimously carried, the city commission approved the reappointment of Commissioner Mobilian to serve on the Lake~Sumter Metropolitan Planning Organization Board.**

After discussion, and on motion of Commissioner DeGrave, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the reappointment of Vice Mayor John L. Gunter Jr. to serve as alternate on the Lake~Sumter Metropolitan Planning Organization.



(d) **Boards/Committees/Workshops**

**i. Charter Review Discussion**

Mr. La Venia addressed the need to review the city charter which has not been adopted since November 8, 1984.

In response to Mr. La Vena's inquiry as to whether the city commission could serve as the review committee, Ms. Geraci-Carver recognized that it is not addressed in the city's charter, it is not required by Florida Statutes, and it is typically recommended which can be the city commission members. She described the process to ultimately enact an ordinance on the charter revisions for the 2022 ballot and in concurring with Mr. La Venia, a workshop can be scheduled to review the recommendations with a professional attorney.

Ms. Geraci-Carver pointed out her recent communications with the Florida Institute of Government, University of Central Florida; mentioned her previous work with Ms. Marilyn Crotty who has since retired but is currently contracting with UCF, and relayed her preferred timeframe at such workshops. Ms. Geraci-Carver indicated that if it is the city commission's desire to consider other proposals, a copy of the city's charter would be required for review before submittal.

**ACTION: 6:19:00 p.m. By unanimous consent, the city commission agreed to serve as the Charter Review Committee; directed the city attorney to obtain a proposal from Ms. Marilyn Crotty (retained by the Florida Institute of Government, University of Central Florida) and other professionals specializing in charter reviews and report back to the city commission for consideration.**

**ii. Centennial Celebration Event Committee Discussion**

The city commission addressed the centennial celebration event committee.

Mayor Cheshire referred to Library Director Jo-Ann Glendinning's email sent earlier this day regarding the Centennial Celebration and the status update on individuals who are interested to serve; a copy of which is filed with the supplemental papers to the minutes of this meeting.

**ACTION 6:22:56 p.m. Upon Commissioner Gunter's suggestion and by unanimous consent, the city commission agreed that prior to the establishment of the Centennial Celebration Event Committee, that a city elected official be appointed and accepted Commissioner Bell's willingness to serve on said committee.**

(e) **2021 City Commission Meeting Schedule**

The city commission considered its action to approve the 2021 city commission meeting schedule.

**ACTION 6:24:33 p.m. On motion of Commissioner Mobilian, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the 2021 city commission meeting schedule.**

**(f) Resolution 2020-064 Professional Grant Writing Services Contract - Liberty Partners of Tallahassee LLC**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2020-064, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE 2020-2021 CONTRACT FOR GRANT MANAGEMENT AND CONSULTING SERVICES BETWEEN LIBERTY PARTNERS OF TALLAHASSEE, LLC AND CITY OF FRUITLAND PARK; PROVIDING FOR AN EFFECTIVE DATE.

**ACTION: 6:24:56 p.m. After some discussion, a motion was made by Commissioner Bell and seconded by Commissioner DeGrave that the city commission adopt Resolution 2020-064 as previously cited.**

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

**(g) Abandoned Properties and 401 Acorn Circle – Case CE2017-0032**

The city commission considered its action to recommend to the Special Magistrate the waiver of the order of fines on Case CE2017-0032 for the property condemned as dangerous structures located at 401 Acorn Circle and authorize the charge levied and assessed by the August 11, 2017 Special Magistrate's Order to be payable by the current property owner.

Mr. La Venia relayed the property owner's agreement to demolish the property and acceptance of the subject recommendations. He referred to the November 5, 2020 email from Mr. Duane Booth, BESH/Halff Associates Inc, engineers, surveyors and land planners retained by the city, regarding the decommission and abandonment of septic tank to be in compliance with the standards for onsite sewage treatment and disposal systems under Rule Chapter 64E-6 of the Florida Administrative Code and the Land Development Code. (A copy of the respective email is filed with the supplemental papers to the minutes of this meeting.)

Before sending the letter to the property owner, Ms. Geraci-Carver addressed the plan to obtain an opinion from Mr. Booth on the ability to continue with the use of the septic tank or connect to the city's water wastewater system, if available.



**ACTION:** 6:28:18: p.m. Following extensive discussions, **on motion made by Commissioner DeGrave, seconded by Commissioner Mobilian and unanimously carried, the city commission:**

- **approved the recommendation to the Special Magistrate on the waiver of the order of fines on Case CE2017-0032, as previously cited;**
- **authorized the charge levied and assessed on the aforementioned order agreeable and payable by the property owner;**
- **accepted the property owner's agreement to demolish the subject property, and**
- **approved the city manager's recommendation to direct the city attorney to write a letter to the property owner outlining the terms after receiving the opinion from BESH Halff Inc. on the decommissioning and abandonment of the septic tank for the subject property.**

**(h) Computers Purchases – Community Development Department**

The city commission considered its action to purchase five desktop and two laptop computers. for the community development department, utilizing account number 01524-60640 for the amount of \$10,325.

**ACTION:** 6:36:42: p.m. After discussion, and **on motion of Vice Mayor Gunter, seconded by Commissioner DeGrave and unanimously carried, the city commission approved the purchase as previously cited.**

**(i) Fire Protection and Rescue Service Discussion**

The city commission addressed the fire protection and rescue service.

Mr. La Venia referred to the October 9, 2020 email from Mr. John Molenda, Lake County Deputy Manager, regarding concerns on the fire department's continued out of service and lack of response as the closest unit to support the residents to which Interim Deputy Fire Chief Gilpin outlined reasons for the out of service issues.

**ACTION:** 6:38:36: p.m. After extensive discussions, **and by unanimous consent, the city commission directed the city manager to proceed with expediting a contract with a date certain for fire protection and rescue services with Lake County.**



**PUBLIC HEARING**

**(j) First Reading and Public Hearing - Ordinance 2020-012 Fire Prevention-Life Safety Codes**

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2020-012, the substance of which is as follows;

AN ORDINANCE OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA; AMENDING SECTIONS 92.01, 92-04, 92-10 AND 92-99 IN CHAPTER 92 OF THE CODE OF ORDINANCES RELATING TO THE FLORIDA FIRE PREVENTION CODE, LIFE SAFETY CODE AND PENALTIES; REPEALING SECTIONS 92.07 THROUGH 92-09 IN CHAPTER 99 OF THE CODE OF ORDINANCES THEREBY ELIMINATING THE FIRE SAFETY BOARD; PROVIDING FOR INCLUSION IN THE CODE, SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on December 10, 2020.)

After Mr. Le Venia anticipated future changes under chapter 92, he suggested that language ought to reflect amending renumerations of the current code.

**ACTION: 6:56:42: p.m. A motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission approve proposed Ordinance 2020-012 as previously cited.**

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

Upon Mayor Cheshire's suggestion, **the maker and seconder of the motion had no objections to accept the correction in the title of the proposed ordinance removing Chapter 99 and replacing it with Chapter 92 before advertising.**

**Mayor Cheshire called for 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**

**(k) Second Reading and Public Hearing – Ordinance 2020-011 Solid Waste Rates**

It now being the time advertised to hold a public hearing, Ms. Geraci-Carver read into the record the title of proposed Ordinance 2020-011 the substance of which is as follows and 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, 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.)

**ACTION:** 7:00:07 p.m. **A motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission enact Ordinance 2020-011, as previously cited, to become effective immediately, as provided by law.** (The refuse collect rate adjustments shall be implemented January 1, 2021.)

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.**

**(I) Second Reading and Public Hearing – Ordinance 2020-013 Elections**

It now being the time advertised to hold a public hearing, Ms. Geraci-Carver read into the record the title of proposed Ordinance 2020-013, the substance of which is as follows and 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 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:** 7:01:16 p.m. **After discussion, a motion was made by Commissioner Mobilian and seconded by Commissioner Bell that the city commission enact Ordinance 2020-013, as previously cited, 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 vote on the motion and declared it carried unanimously.**



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

Upon the city attorney's suggestion, acceptable by LPG Regional Urban Planners Inc's Executive Director, **the city commission, by unanimous consent, agreed to consider proposed Ordinance 2020-005 on this evening's agenda.**

It now being the time advertised to hold a public hearing, Ms. Geraci-Carver read into the record the title of proposed Ordinance 2020-005, the substance of which is as follows and Mayor Cheshire called for interested parties to be heard:

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 first reading was held on October 22, 2020.)

Mr. Greg Beliveau, LPG Regional Urban Planners Inc., reported on the November 9, 2020 Lake County School Board's actions at its regular meeting on the approval of the master development agreement -- Leesburg Fruit Company Inc./Holloway Properties Inc. with the city -- and the adoption of a resolution authorizing the release of petroleum and mineral rights for the Leesburg High Ag Farm Property on CR 466A in Fruitland Park (aka *Parcel 19 of the Northwest Vacant Lands*); a copy of which is filed with the supplemental papers to the minutes of this meeting.

**ACTION: 7:02:07 p.m. A motion was made by Vice Mayor Gunter and seconded by Commissioner DeGrave that the city commission enact Ordinance 2020-005, as previously cited, 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 vote on the motion and declared it carried unanimously.**

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

- (n) First Reading and Quasi-Judicial Public Hearing – Ordinance 2020-006 LSCPA – FLUP to Commercial - N CR466A and West of Olive Lane - Petitioner: Lake County School District**

It now being the time advertised to hold a public hearing, Ms. Geraci-Carver read into the record the title of proposed Ordinance 2020-006 the substance of which is as follows and Mayor Cheshire called for interested parties to be heard:

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 may be continued as determined by the commission from time to time to a time certain.)

Later in the meeting and at Mayor Cheshire's request, Ms. Geraci-Carver swore-in Mr. Beliveau who intended to testify on the subject item.

After Mayor Cheshire relayed staff's request to postpone the subject item to the January 14, 2021 regular meeting, Mr. Beliveau accepted Ms. Geraci-Carver's explanation that the subject item be heard at this evening's meeting and that consideration in this regard (October 22, 2020 LPA) was due to an advertising error.

**By unanimous consent, the city commission accepted the requests made earlier by LPG Regional Urban Planners Inc.'s Executive Director under regular agenda item 7.(m) and on the subject item that the testimony submitted at the previous Local Planning Agency meeting be transferred to the item in question under this evening's proceedings.**

Mr. La Venia and Ms. Geraci-Carver confirmed, in response to Commissioner Mobilian's inquiry, that a letter this day was sent to Mr. Steve Johnson, attorney, regarding the city's interest to annex the school board property located southwest of CR 466A bordering the Sumter County line; a copy of which is filed with the supplemental papers to the minutes of this meeting.

**ACTION: 7:04:16 p.m. A motion was made by Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission accept the Local Planning Agency's recommendation of approval to approve Ordinance 2020-006 and transmit same to the appropriate agencies.**

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.**

**(o) First Reading and Quasi-Judicial Public Hearing – Ordinance 2020-007 Rezoning and Master Development Agreement – Petitioner: Lake County School District**

It now being the time advertised to hold a public hearing, Ms. Geraci-Carver read into the record the title of proposed Ordinance 2020-007 the substance of which is as follows and Mayor Cheshire called for interested parties to be heard:

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 first reading was held on October 22, 2020.)

**ACTION: 7:06:23 p.m. and 7:08:18 p.m. By unanimous consent, and upon the city attorney's recommendation and the suggestion by LPG Regional Urban Planners Executive Director, the city commission agreed to reconsider the change to this evening's agenda to reflect "second reading" and not "first reading" and that in accordance to state law, the zoning would not be binding until Ordinance 2020-006, approved under regular agenda item 7.(m), becomes effective by the second reading.**



**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 held earlier be transferred to this evening's agenda.**

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

**A motion was made by Commissioner Bell and seconded by Commissioner Mobilian that the city commission enact Ordinance 2020-007 to become effective as provided by law, subject to the enactment of Ordinance 2020-006 as previously cited.**

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

#### **END OF QUASI-JUDICIAL PUBLIC HEARING**

### **8. OFFICERS' REPORTS**

#### **(a) City Manager**

##### **i. Economic Development Status Update**

Mr. La Venia had no status update report on economic development at this time.

ACTION: 7:08:52 p.m. No action was taken.

##### **ii. COVID-19 Status Update**

Mr. La Venia gave a report on the check received from Lake County on November 9, 2020 for \$363,592.39 relating to the Coronavirus Aid Relief and Economic Security (CARES) Act; the city's spend plan according to the list of needs, and the statutory regulations under same

ACTION: 7:08:52 p.m. No action was taken.

#### **(b) City Attorney**

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

Ms. Geraci-Carver referred to discussions held earlier on this day's agenda under regular agenda item 7.(g), Abandoned Properties and 401 Acorn Circle – Case CE2017-0032. She recognized the decommissioning of the septic system and that compliance with the administrative code to be the final issue left to be resolved on the T. D. Burke case. Ms. Geraci-Carver anticipated that further report for consideration will be made before the city commission at its December 10, 2020 regular meeting.

ACTION: 7:11:29 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 stated that no new dates have been received for the State of Florida Department of Management Services administrative hearings on the subject case.

ACTION: 7:11:57 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: 7:11:57 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 had no updates on the Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case.

ACTION: 7:11:57 p.m. No action was taken at this time.

**9. UNFINISHED BUSINESS**

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

ACTION: 7:12:08 p.m. No action was taken.

**10. PUBLIC COMMENTS**

Mr. David Serdar, City of Fruitland Park Unincorporated Area Resident, recognized the veterans; expressed concerns for the children's future, and acknowledged the candidates' who ran for office.

Deputy Fire Chief Yoder thanked the city commission for their expressions of sympathy as a result of his father's recent passing.

Deputy Fire Chief Yoder welcomed the city commission, through Mr. La Venia, to contact him regarding any questions relating to the city's fire service and voiced his willingness to assist with any issues that may arise regardless of the city commission's ultimate decision.

ACTION: 7:12:09 p.m. No action was taken.

**11. COMMISSIONERS' COMMENTS**

**(a) Commissioner Mobilian**

**i. LSMPO**

Commissioner Mobilian indicated that he will provide more information after the LSMPO holds its meeting on October 28, 2020.

ACTION: 7:16:53 p.m. No action was taken.

**ii. 2020 Holiday Season**

Commissioner Mobilian extended well wishes to everyone for the 2020 holiday season.

ACTION: 7:23:19 p.m. No action was taken.

**(b) Commissioner DeGrave – 2020 Elections**

Commissioner DeGrave congratulated Mayor Cheshire, Vice Mayor Gunter, and Commissioner Bell as a result of the outcome of the recent elections; expressed pleasure in working with the city commission and anticipated continuing same in the next two years.

ACTION: 7:17:05 p.m. No action was taken.

**(c) Commissioner Bell – Parks, Recreation and Trails Advisory Board**

Commissioner Bell gave a report on the county's recent contribution for accessibility features and concrete pads and walkways installation at Northwest Lake Community Park which was addressed at the November 9, 2020 Parks, Recreation and Trails Advisory Board meeting to which Mr. La Venia and Ms. Yoder gave a status update on the work that has commenced in that regard, the successful soccer program and the continuous use of the new skateboard at Gardenia Park.

Commissioner Bell relayed the suggestion by Lake County Office of Parks and Trails Director Roberto "Bobby" Bonilla to submit future funding requests in advance and noted the recent appointment of the district commissioner as a commission liaison member to said board.

ACTION: 7:17:25 p.m. No action was taken.

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

**i. Veterans' Day**

Vice Mayor Gunter reported that he and Ms. Coulson attended the November 11, 2020 Veterans Day event held at John Gella Memorial American Legion Post 219 where the program was favorable.

ACTION: 7:20:53 p.m. No action was taken.

**ii. 2020 Election**

Vice Mayor Gunter expressed his gratitude to the voters in his district who had the confidence in him to serve for another four-year term as well as the assurance received from the commission reelecting him as vice mayor for the forthcoming year. He stated that he is looking forward to the finalization of the CR 466A roadway improvements and other forthcoming projects.

ACTION: 7:21:16 p.m. No action was taken.

**11. MAYOR'S COMMENTS**

**(a) 2020 Election**

In concurring with Vice Mayor Gunter's remarks, Mayor Cheshire thanked the city commission for voting him as mayor for next year and agreed with Commissioner DeGrave's statements on the commission's ongoing and current working relationship.

ACTION: 7:21:56 p.m. No action was taken.

**(b) Dates to Remember**

Mayor Cheshire announced the following events:

- November 16, 2020, LSMPO *2045 Long Range Transportation Plan Report* Virtual Workshops at 4:00 p.m. and 6:00 p.m. respectively;
- November 20, 2020, *2020 Sponsor Appreciation Event*, Lake County League of Cities (LCLC), Mount Dora Golf Club, 1100 South Highland Street, Mount Dora, Florida 32757 at 4:00 p.m.;
- November 26, 2020 City Hall Closed, Thanksgiving Day;
- November 27, 2020 City Hall Closed, Day After Thanksgiving Day;
  
- December 4, 2020, Employee Christmas Luncheon, Recreation Center at 205 West Berckman Street, Fruitland Park, Florida 34731 at 1:00 p.m.
- December 9, 2020, Lake County School Board Annual School Concurrency Meeting, Lake County School Board District Complex, School Board Chambers, 201 W. Burleigh Boulevard, Tavares, Florida 32778 at 10:00 a.m.
- December 10, 2020, City Commission Meeting regular at 6:00 p.m.;
- December 11, 2020, *2020 LCLC, TBD – Year-End Wrap Up*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- December 17, 2020, Operation Bless Fruitland Park/Employee Holiday Luncheon, Heritage Community Church 509 West Berckman Street, Fruitland Park, Florida 34731 at 11:30 a.m.;
- December 24, 2020, City Commission Regular at 6:00 p.m. – Cancelled;
- December 24, 2020, Christmas Eve – City Hall Closed;
- December 25, 2020, Christmas Day - City Hall Closed, and
- December 31, 2020, New Year's Eve – City Hall Closed
  
- January 1, 2020, New Year's Day – City Hall Closed

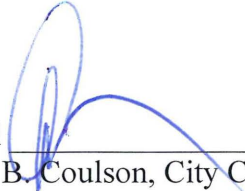
ACTION: 7:22:19 p.m. No action was taken.

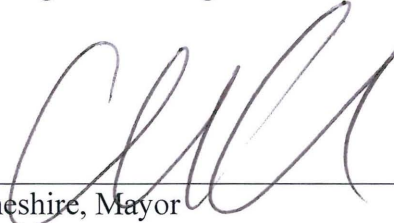
**12. ADJOURNMENT**

**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 December 10, 2020 regular meeting.

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

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