

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
January 14, 2021**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 14, 2021 at 6:00 p.m.

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

Member Absent: Commissioner Patrick DeGrave

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 Director Tracey Kelly; Human Resources Director Diane Kolcun; Lake County Fire Rescue Lieutenant Mark Gato and Lake County Emergency Medical Services Paramedic M. Reilly; Deputy City Clerk Jabari Hopkins; and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order, former Commissioner Ray Lewis, City of Fruitland Park Resident and Grace Bible Baptist Church Member, gave the invocation and Police Chief Erik Luce led in the Pledge of Allegiance to the flag.

ACTION: 6:00:05 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 that Commissioner Patrick DeGrave will be absent from this evening's meeting.

ACTION: 6:02:53 p.m. **By unanimous consent, the city commission excused Commissioner Patrick DeGrave from this evening's meeting.**

3. RECESS TO THE COMMUNITY REDEVELOPMENT AGENCY

ACTION: 6:03:09 p.m. **By unanimous consent, the city commission recessed its meeting to the Community Redevelopment Agency at 6:03 p.m. and reconvened at 6:07 p.m.**

4. CONSENT AGENDA

The city commission considered the following consent agenda item:

Approval of Minutes

- December 10, 2020 Regular meeting, and
- September 17, 2020 Joint Workshop

ACTION: 6:07:07 p.m. 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) FY 2020-21 CRA TAXES

The city commission considered its action to accept the CRA's recommendation of approval on the payment of taxes from the general fund to the redevelopment fund due for the redevelopment taxes (\$165,107 and \$76,816 respectively) for FY 2020-21.

ACTION: 6:07:23 p.m. On motion of Commissioner Bell, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the CRA's recommendation of approval on the payment of taxes as previously cited.

(b) End of Year Financial Report

Ms. Racine reviewed the September 2020 financial report.

ACTION: 6:07:53 p.m. and 6:13:08 p.m. After discussion and on motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the city treasurer's recommendation to transfer funds of \$200,000 (utilities) from the local bank to the State of Florida Board of Administration (SBA) investments decreasing the debt of \$128,000.

On motion of Vice Mayor Gunter, seconded by Commissioner Mobilian and unanimously carried the city commission approved the financial report as submitted.

By unanimous consent, Mayor Cheshire opened the public hearings on this evening's agenda.

PUBLIC HEARING

(c) First Reading and Public Hearing – Ordinance 2021-001 – CRA Redevelopment Plan Amendment and Extending Sunset Date

Ms. Geraci-Carver read into the record the title of proposed Ordinance 2021-001 as follows.:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK REDEVELOPMENT PLAN TO INCLUDE ADDITIONAL PROJECTS AND EXTEND THE SUNSET DATE TO 2055; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR

SEVERABILITY; AND SETTING FOR AN EFFECTIVE DATE.
(The second reading will be held on January 28, 2021.)

In response to Mr. Lewis' inquiry, Mr. La Venia outlined the current allocation of funds in the State Revolving Fund loan program (from the State of Florida Department of Environmental Protection grant allocation assessment) which have met the requirements for a loan and principal forgiveness earmarked towards the wastewater treatment facilities construction.

ACTION: 6:13:22 p.m. After discussion, a motion was made by Commissioner Mobilian and seconded by Commissioner Bell that the city commission approve proposed Ordinance 2021-001 as previously cited.

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.

(d) Second Reading and 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 the following proposed Ordinance 2020-006 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 first reading was held on November 12, 2020.)

ACTION: 6:17:56 p.m. After discussion, a motion was made by Commissioner Mobilian and seconded by Commissioner Bell that the city

commission enact Ordinance 2020-006, as previously cited, to become effective 30 days after adoption 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 carried.

END OF PUBLIC HEARING

6. (a) City Manager

i. Economic Development Status Update

Mr. La Venia stated that he had nothing to report regarding economic development.

ACTION: 6:27:23 p.m. No action was taken.

ii. COVID-19 Status Update

Mr. La Venia had nothing to report on COVID-19.

ACTION: 6:27:35 p.m. No action was taken.

iii. School Board Property CR 466A – Annexation Status Update

Mr. La Venia gave a status update report on the likelihood of annexing, at a minimal cost, 3.5 acres of Lake County School Board property located southwest of CR 466A (bordering the Sumter County line) in order for the police department to patrol the area and enforce the law. He recalled the Local Planning Agency's actions, at its October 22, 2020 meeting, directing him or Ms. Geraci-Carver to explore the proceeds of the sale for said property and write a letter to the school board proposing the concept of annexing same.

ACTION: 6:19:30 p.m. and 6:25:28 p.m. After further discussion, **the city commission directed the city manager to report back on the annexation of the previously cited property to the City of Fruitland Park.**

iv. Land Development Regulations Codification Proposal Discussion

Ms. Coulson outlined, at Mr. La Venia's request, the costs involved to include the binders (printed copies) identified in Municode's proposal to recodify the land development regulations (LDRs) separately from the general code of ordinances.

After further discussion, Mr. La Venia accepted the city commission's desire for two printed copies with the remainder accessible online and mentioned his intent to identify the funding sources before proceeding.

ACTION: 6:25:40 p.m. No action was taken.

v. Lien Foreclosure Program Status Update

Mr. La Venia recalled the lien foreclosure program presentation made by Mr. Matt Weidner, Attorney at Weidner Law, at the December 10, 2020 regular meeting; referred to the January 6, 2021 telephone conference call amongst Mses. Lori Davis, Code Enforcement Officer, Coulson, Mr. Jabari and himself regarding the program, and relayed his intention to forward to the city commission the lien foreclosure attorney retainer agreement once received after it is reviewed by Ms. Geraci-Carver.

Mr. La Venia pointed the question posed by Mr. Lewis at the January 14, 2021 CRA meeting and addressed the intent, at a future CRA meeting, to seek grants for land revitalization and CRA funding for the Grizzard Street area .

ACTION: 6:31:32 p.m. By unanimous consent, the city commission accepted the city manager's report and agreed that more information is provided on the development of a 15-year CRA long-term plan on project improvements.

(b) City Attorney

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

Ms. Geraci-Carver reported that the T.D. Burke case has been settled and is closed whereby the city received \$8,000; therefore, there will be no future reports in this regard.

ACTION: 6:40:05 p.m. No action was taken.

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

Ms. Geraci-Carver reported that the State of Florida Department of Management Services' case for the Florida Retirement System is scheduled for virtual trial hearings on February 10 to 12, 2021.

ACTION: 6:40:25 p.m. and 6:40:33 p.m. No action was taken.

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

Ms. Geraci-Carver announced that there is no update on the Michael and Laurie Fewless case.

ACTION: 6:40:25 p.m. No action was taken.

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

Ms. Geraci-Carver announced that there are no updates on the Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case.

ACTION: 6:40:46 p.m. No action was taken.

7. UNFINISHED BUSINESS

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

ACTION: 6:40:05 p.m. No action was taken.

8. PUBLIC COMMENTS

Mr. David Serder, City of Fruitland Park unincorporated area resident, voiced concerns on the children's future.

Mr. Lewis conveyed the problems he had with the city commission's explanation, at its December 17, 2020 special meeting, regarding the lack of public contact they received about the fire rescue services from Fruitland Park Fire Department; recalled the public's participation at the September 22, 2016 regular meeting and referred to one of the February 22, 2017 Fire Services Advisory Committee's recommendations of approval to keep the city's fire department in-house.

Mr. Lewis pointed out Section 2.02., Annexation of the city charter; referred to the residents' comments at the September 21, 2018 regular meeting regarding the payment of taxes and fire fees, and referenced Chapter 171, Florida Statutes (cited in the charter) on the choices for deannexation.

ACTION: 6:40:48 p.m. No action was taken.

9. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

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

ACTION: 6:48:11 p.m. No action was taken.

(b) Commissioner DeGrave

Commissioner DeGrave was absent from the meeting at this time.

ACTION: 6:48:11 p.m. No action was taken.

(c) **Commissioner Bell – Fire Protection and Rescue Services**

Commissioner Bell conveyed a resident's recent approach to him supporting the city's decision for fire protection and rescue services.

ACTION: 6:48:19 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: 6:49:05 p.m. No action was taken.

10. MAYOR'S COMMENTS

(a) **Fruitland Park Fire Rescue Services**

Mayor Cheshire referred to his recent visit to the fire department which seems to be performing satisfactorily and without any transitional problems. He expressed appreciation to and acknowledged the presence of Lieutenant Gato and Paramedic Reilly at this evening's meeting.

ACTION: 6:49:05 p.m. No action was taken.

(b) **Dates to Remember**

Mayor Cheshire announced the following dates:

- January 18, 2021, Dr. Martin Luther King Jr., Day– City Hall Closed;
- January 28, 2021, City Commission Regular at 6:00 p.m.;
- February 6, 2021, *5k Love Run*, Fruitland Park Community Center, 205 W Berckman Street, Fruitland Park, Florida 34731 at 8:00 a.m.;
- February 8, 2021, Lake County Office of Parks and Trails Advisory Board, Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;
- February 11, 2021, City Commission Regular at 6:00 p.m.;
- February 24, 2021, Lake~Sumter Metropolitan Planning Organization Governing Board Virtual at 2:00 p.m., and

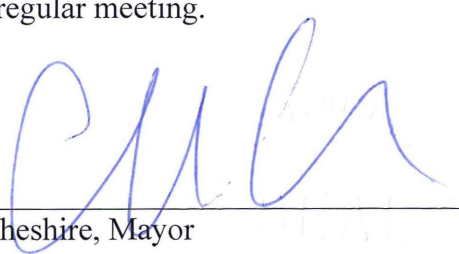
ACTION: 6:49:33 p.m. No action was taken.

11. ADJOURNMENT

There being no further business to come before the city commission, the meeting adjourned at 6:50 p.m.

The minutes were approved at the January 28, 2021 regular meeting.

Signed 
Esther B. Coulson, City Clerk, MMC

Signed 
Chris Cheshire, Mayor