

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
April 22, 2021**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, April 22, 2021 at 6:00 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr., Commissioners Chris 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; Lake County Lieutenant Fire Rescue/Emergency Medical Services Jeff Lord and Lake County Firefighter/Paramedic Rachel Heisler; Jabari Hopkins, and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order, Pastor Chuck Padgett, Trinity Assembly 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

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

ACTION: 6:02:40 p.m. No action was taken.

3. SPECIAL PRESENTATIONS

(a) Former Committee Member-Commissioner-Director Proclamation

On behalf of the city commission, Mayor Cheshire read into the record a proclamation proclaiming April 29, 2021 in Memoriam of Charles "Charlie" W. Rector and asked that the citizens join together to express condolences to the Rector family who recognized his love for the city.

ACTION: 6:03:29 p.m. After Mr. Clay Rector accepted the proclamation with appreciation, Mayor Cheshire recognized the loss of Mr. Rector to the city who will be missed by those who knew him.

(b) Teachers' Appreciation Week, National Teacher Day and Teacher of the Year Proclamation

On behalf of the city commission, Mayor Cheshire read into the record a proclamation declaring May 4 to 8, 2021 as *Teachers' Appreciation Week* and May 5, 2021 as *National Teacher Day*; honor Rikki Parisoe for her hard work, dedication and commitment to the students and parents, and express gratitude to the

community and local leaders who have joined together to continue in supporting and celebrating our teachers; thus, take a moment to #ThankATeacher during this global pandemic and throughout the year.

ACTION: 6:05:51 p.m. Ms. Rikki L. Parisoe, Fruitland Park Elementary School Teacher and *2022 Teacher of the Year Award Finalist* accepted the proclamation with much gratitude. In concurring with Ms. Parisoe, Principal Tammy Langley exemplified Ms. Parisoe's abilities; announced her final appearance before the city commission, despite becoming a recent city resident, as she will be transitioning to Oak Park Middle School as its principal; indicated that Ms. Dawn Brown will be replacing her as the Fruitland Park Elementary School Principal and thanked the city commission for its continued support.

(c) **The Villages Public Safety Department Presentation**

The Villages Public Safety Department Year-End Report FY 2019/20 power-point presentation, outlining fire rescue services and programs, was given by Chief Edmund Cain. He described the emergency ambulance services at The Villages managed by American Medical Response (retained by Sumter County; Marion County Fire Rescue Department), and Lake County Emergency Medical Services (EMS) which was elaborated on by Lake County Lieutenant Fire Rescue/EMS Lord.

ACTION: 6:11:38 p.m. No action was taken.

4. **CONSENT AGENDA**

The city commission considered the following consent agenda items:

(a) **Regular Meeting Minutes - April 8, 2021**

(b) **Resolution 2021-013 Lake County CDBG Grant Program FY 2021-22 - Spring Lake Road Water Line Enhancement**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT APPLICATION TO THE LAKE COUNTY CDBG PROGRAM FOR THE SPRING LAKE ROAD WATER LINE ENHANCEMENT PROJECT; PROVIDING FOR AN EFFECTIVE DATE.

(c) **Resolution 2021-014 Lake County CDBG Grant Program FY 2021-22 - NW Lake Community Park ADA Playground and Equipment**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT APPLICATION TO THE LAKE COUNTY CDBG PROGRAM FOR NEW ADA COMPLIANT PLAYGROUND AND EQUIPMENT TO BE LOCATED AT THE

NORTHWEST LAKE COMMUNITY PARK; PROVIDING FOR AN EFFECTIVE DATE.

(d) Resolution 2021-015 Lake County CDBG Grant Program FY 2021-22 - Patricia Avenue Water Line Replacement Project

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT APPLICATION TO THE LAKE COUNTY CDBG PROGRAM FOR THE PATRICIA AVENUE WATER LINE REPLACEMENT PROJECT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:30:17 p.m. On motion of Commissioner Bell, seconded by Gunter and unanimously carried, the city commission approved the consent agenda as previously cited.

5. REGULAR AGENDA

(a) Storm Debris Collection

The city commission considered its action to deny Lake County's Interlocal Agreement for collection of storm debris from streets and right-of-way.

ACTION: 6:30:38 p.m. On motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the city manager's request to provide written notice to Lake County of the city's plan to deny the county's contract or to act as its agent for collection of storm debris from streets and right-of-way as outlined in the existing interlocal agreement.

(b) Virtual Inspections Discussion

Virtual inspections discussion on the issuance of a permit for solar tubes, doors, windows, air conditioning, water heater changeouts.

Mr. Jeff Gerling, Alpha Inspections Inc. addressed the advisory opinion to allow private providers to perform in-person or virtual inspections and the measures undertaken as it relates to establishing the system and costs for solar tubes.

After much discussion and in response to Commissioner DeGrave's reasons on his inquiry on the licensed contractor's additional fee, over and above what was originally quoted to the property owner and without obtaining a permit in advance, Mr. Gerling suggested that the city's website which included an extensive list of items on the fee schedule for needed permits prior to its redesign, ought to be replaced.

Mr. Gerling announced that the TRAKiT/Superion (Solutions) LLC Citizens' Engagement CentralSquare Technologies online program is currently functioning and operational which is accessible to users.

Later in the meeting and with reference to Mr. Gerling's announcement on TRAKit, Ms. Geraci-Carver:

- relayed the telephone conversation she had on April 20, 2021 regarding the plans to meet with contractors to utilize the system as the last step in the process;
- gave reasons, in response to Commissioner DeGrave's inquiry, why said discussions held did not include the disputed payment amount withheld by the city for unrendered services;
- conveyed the intent to meet and provide the city commission with an update of same to determine whether it would be the desire to continue services and resolve the problems, and
- addressed the plan to test the system live with the contractors to establish its performance.

ACTION: 6:32:14 p.m. and 7:20:50 p.m. No action was taken; however, Commissioner DeGrave expressed his dissatisfaction with the viral inspection process.)

(c) 2021 City Commission Meeting Schedule Discussion
Discussion on 2021 city commission meeting schedule.

Mr. La Venia addressed the need to hold the following:

- August 2 and 3, 2021 workshop to consider the FY 2021-22 proposed budget as shown on the revised budget meeting calendar;
- meeting in mid-May 2021 to address the public works and public safety buildings with GatorSkitch Corporation;
- workshop on the safety program and the personnel manual -- if agreeable, with the involvement of Public Risk Management of Florida (PRM) -- insurance company specializing in workers' compensation, liability, property and health insurance retained by the city -- ; Mses. Geraci-Carver and Dorothy "Dotty" F. Green, Latham, Shuker, Eden & Beaudine (labor attorney retained by the city) -- where there are cost savings of approximately seven percent on the city's premiums with PRM and the renewal quotes are currently being implemented prior to the end of September 2021, and
- Charter review workshops prior to placing questions on the November 8, 2022 general election ballot.

After discussion, Mr. La Venia concurred with Mayor Cheshire's suggestion to consider cancelling the August 12 regular meeting date and holding a special meeting due to the August 12 to 14, 2021 Florida League of Cities' Annual Conference.

ACTION: 6:55:15 p.m. No action was taken.

6. (a) **City Manager**

i. **Economic Development Status Update**

Mr. La Venia announced that there was no economic development status update report to present at this time.

ACTION: 7:04:02 p.m. No action was taken.

ii. **COVID-19 Status Update**

Mr. La Venia stated that there was no COVID-19 status update to present at this time.

ACTION: 7:04:04 p.m. No action was taken.

iii. **Waste Management**

Mr. La Venia referred to his previous meeting with Messrs. Doug McCoy and Jose Boscan, Waste Management Inc. retained by the city, regarding the provision of residential waste services -- excluding The Villages of Fruitland Park who utilizes solid waste management with the North Sumter County Utility Dependent District -- at an increased cost; the loss in recycling pickup services, and the utilization of the waste-to-energy incineration for disposal.

Mr. La Venia relayed Waste Management representatives' advice for solid waste services to be procured as a competitive process with a two-day per week service and one-day a week pickup as an option which have cost differences; addressed his plan to communicate with Ms. Geraci-Carver on the preparation of the subject bid specifications to be awarded by the end of August 2021, and explained the reasons for the city's designation of the Covanta Environmental Solutions due to Waste Management Inc.'s allocation and reserved capacity.

After discussion, Mr. La Venia agreed, in the affirmative to Commissioner DeGrave's inquiries to:

- find out more information on the cost-effectiveness of Covanta's tipping fee per tonnage as opposed to landfill disposal; its sale of all capacity to suppliers, and the haulers' recycling services to Covanta and its intent;
- itemize the city's expectations for waste management in the bid specifications with the alternatives and options included, and

- meet with the city attorney and work on the city's existing waste management services and its needs.

ACTION: 7:04:06 p.m. **By unanimous consent, the city commission agreed with the directives as previously cited.**

(b) City Attorney

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

Ms. Geraci-Carver state that she has nothing report on the State of Florida Department of Management Services at this time.

ACTION: 7:20:48 p.m. No action was taken.

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

Ms. Geraci-Carver stated that there are no updates to provide on the Michael and Laurie Fewless at this time.

ACTION: 7:20:48 p.m. No action was taken.

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

Ms. Geraci-Carver stated that there are no updates to provide on the Norman C. Cummins v. Stephen P. Angelillo at this time.

ACTION: 7:20:48 p.m. No action was taken.

7. UNFINISHED BUSINESS

Resolution 2021-007 – Mirror Lake NSBB™ Project – BESH Halff Proposal Revised Agreement

Mr. La Venia pointed out his previous conversations with the Lake County Water Authority (LCWA) regarding the request raised at the March 25, 2021 regular city commission meeting on the stormwater grant second application recognizing reimbursement for “soft costs” to construct one nutrient removing sediment baffle box for the Mirror Lake NSBB project. He relayed the response to be the actual implementation of one which cannot be recouped and conveyed BESH-Halff engineer’s conversations earlier this day outlining the revised proposal totalling \$26,800 per baffle box which he is recommending. Mr. La Venia reported on available LCWA funds whereby the costs would be different if said baffle boxes were applied for individually and conveyed that LCWA indicated can be implemented over the next three years.

Mr. La Venia recommended the construction of the baffle box at the intersection of east Mirror Lake Drive and Olive Avenue and addressed the plan to present BESH-Halff’s revised proposal/agreement at the next meeting together with the draft resolution repealing Resolution 2021-007 adopted at the February 25, 2021 regular meeting and proceed with the procurement to implement the subject project.

ACTION: 7:21:59 p.m. After discussion and by **unanimous consent, the city commission accepted the city manager's recommendation as previously cited, for consideration at the May 13, 2021 regular meeting.** (Staff to analyze the activities of the different system before it is captured into Mirror Lake.)

8. PUBLIC COMMENTS

Mr. David Serder, City of Fruitland Park Unincorporated Area resident, gave examples of how elected officials cannot make everyone happy as it pertains to public participation before various governmental bodies.

Mr. Clay Rector, City of Fruitland Park resident, described how he conducted scheduled virtual (online) inspections at Marion County and the requirements for a permit for applicable inspection jobs and suggested the need for over-the-counter permits for smaller jobs.

Ms. Kim Treen and Mr. George Rutner, City of Fruitland Park Unincorporated Area residents, voiced concerns on the process to rezone property that her son is attempting to purchase since January 2021 (currently owned by New Life Presbyterian Church of Lake County Inc.). and referred to a previous telephone call received that the rezoning would take place in July 2021.

In response, Ms. Geraci-Carver stated that the (February 18, 2021) application was received in March 2021; considered before the April 6, 2021 Technical Review Committee and continued at the April 15, 2021 Planning and Zoning (P&Z) Board meeting to a date certain. She reported on staff working on the advertising for the next P&Z Board meeting and consideration before the city commission in June 2021; addressed her plan to contact Ms. Kelley in that regard, and indicated that an email would be sent to Ms. Treen or Mr. Rutner regarding the proposed dates.

ACTION: 7:26:45 p.m. No action was taken.

9. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

Commissioner Mobilian stated that he has nothing to report at this time and recognized the Lake~Sumter Metropolitan Planning Organization Governing Board Meeting to take place on April 28, 2021. .

ACTION: 7:39:07 p.m. No action was taken.

(b) Commissioner DeGrave

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

ACTION: 7:39:09 p.m. No action was taken.

(c) **Commissioner Bell**

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

ACTION: 7:39:17 p.m. No action was taken.

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

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

ACTION: 7:39:24 p.m. No action was taken.

10. MAYOR'S COMMENTS

Dates to Remember

- April 28, 2021, LS~MPO, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida 34748 at 2:00 p.m.;
- April 29, 2021, 2021 Lake County Trails Forum, 1 Dozier Court, The Venetian Center, Leesburg, Florida 34748 at 5:30 p.m.;

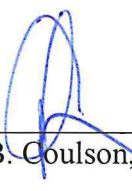
- May 10, 2021, Lake County Parks, Recreation and Trails Advisory Board, Office of Parks and Trails Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.
- May 13, 2021 City Commission Regular at 6:00 p.m.;
- May 14, 2021, Lake County League of Cities (LCLC), *Legislative Update and P&C Program*, and *Florida League of Cities' Financial Services*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m., and
- May 27, 2021 City Commission Regular at 6:00 p.m.
- May 31, 2021, City Hall Closed Memorial Day

ACTION: 7:39:26 p.m. No action was taken.

11. ADJOURNMENT

There being no further business to come before the city commission at this time, on motion made, second and unanimously carried, the meeting adjourned at 7:40 p.m.

The minutes were approved at the May 13, 2021 regular meeting.

Signed 
Esther B. Coulson, City Clerk, MMC

Signed 
Chris Cheshire, Mayor