

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
May 13, 2021**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, May 13, 2021 at 6:00 p.m.

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

**Members Absent:** Commissioner John Mobilian.

**Also Present:** City Manager Gary La Venia, City Attorney Anita Geraci-Carver, City Treasurer Jeannine Racine; Police Chief Erik Luce, Lieutenant Timothy “Tim” Ross, Sergeant David Cox, and Officer Anthony Buehler, Police Department; Public Works Director Robb Dicus; Lake County Firefighter Seth Torres, Firefighter Paramedic Rachel Kieisler and Lieutenant Fire Rescue/Emergency Medical Services Mark Ricci, and City Clerk Esther B. Coulson.

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

After Mayor Cheshire called the meeting to order, Lieutenant Ross led in the Pledge of Allegiance to the flag. (Chaplain Larry Miller, American Legion, was not present to give the invocation.)

ACTION: 6:04:17 p.m. No action was taken.

**2. ROLL CALL**

Mayor Cheshire requested that Ms. Coulson call the roll where a quorum was declared present,

ACTION: 6:04:53 p.m. Upon Mayor Cheshire’s request, and **by unanimous consent, the city commission excused the absence of Commissioner John Mobilian at this evening’s meeting.**

Upon Mayor Cheshire’s suggestion and **by unanimous consent, the city commission considered the following items out of order on this evening’s agenda.**

**3. SPECIAL PRESENTATIONS**

**(c) Comprehensive Annual Financial Report September 30, 2020**

Ms. Tamara “Tammy” Campbell, McDirmit Davis, Certified Public Accountants and Advisors, gave a power-point presentation on the Comprehensive Annual Financial Report (CAFR), September 30, 2020 annual audit results.

ACTION: 6:05:12 p.m. and 8:31:22 p.m. After much discussion and **upon Commissioner DeGrave’s recommendation, the city commission, by unanimous consent, directed staff to work with the city attorney -- acceptable by the auditor -- to draft a resolution authorizing the establishment of monthly**

**utility debt (interfund) payment transfer from the general fund to the utility account retroactive October 23, 2016 until rescinded.** (The city commission accepted that some of the excess undesignated or unrestricted fund balance is to be assigned towards disaster-related line items and that roads, reduced as an expense shown in the budget government-wide statement, be reflected as an asset appreciated 20-30 years.)

**(a) Consumptive Use Permit Presentation**

Ms. Jennifer C. Bolling, Boiling Engineering LLC., gave a power-point presentation on the consumptive use permit (CUP); reported on the submittal of a previous application showing the demand projections, and described the St. Johns River Water Management District with Central Springs/East Coast Regional Water Supply Planning (CSEC RWSP) regional area; the implementation of “residential per capita (water) use”, and the 10-year permit processes currently underway. A copy of the presentation is filed with the supplemental papers to the minutes of this meeting.

Ms. Bolling encouraged the city commission to:

- review the expansion and promotion of the water conservation plan;
- continue public outreach efforts with CSEC;
- implement inspections for new residential construction projects,
- retain a dedicated water conservation coordinator;
- manage the (water loss control) program as a requirement;
- annually review future developments as it pertains CUP management, and
- seek the opportunity to consider planned reviews for common areas for future growth and development.

**ACTION:** 6:25:02 p.m. After further discussion and **by unanimous consent, the city commission authorized staff to work with Boiling Engineering LLC., to proceed with negotiations on the consumptive use permit process.**

**(b) Professional Architectural Services Design - Public Works and Public Safety Buildings - GatorSkтч Corporation**

Mr. Michael “Mike” B. Latham, GatorSkтч Architects and Planners, gave a power-point presentation on the public works and public safety buildings; a copy of which is filed with the supplemental papers to the minutes of this meeting.

**ACTION:** 6:53:38 p.m., 8:15:10 p.m., and 8:35:59 p.m. After considerable discussion and **by unanimous consent, the city commission accepted the city manager’s recommendation authorizing him to proceed with the development of the public works building and accepted the request to consider at a future meeting, the proposed public safety building -- with additional information forthcoming on GatorSkтч Corporation’s study results, the subject building’s blueprint (size and dimensions), and the cost-effective options prior to making a determination to proceed.** (The city manager concurred in the affirmative to

provide a report back to the city commission with the construction costs of The Villages Public Safety Department's Fire Station #47 at 4856 South Morse Boulevard.)

4. **CONSENT AGENDA - Approval of Minutes**  
April 22, 2021 regular meeting minutes.

**ACTION:** 7:54:16 p.m. **On motion of Commissioner DeGrave, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the consent agenda as previously cited.**

5. **REGULAR AGENDA**

(a) **Resolution 2021-017 – One Nutrient Separating Baffle Box - Mirror Lake NSBB™ Project – BESH Halff Proposal**

Ms. Geraci-Carver read into the record proposed Resolution 2021-017, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE CIVIL ENGINEERING AND SURVEYING SERVICES PROPOSAL/AGREEMENT FOR MIRROR LAKE BAFFLE BOX PROJECT BETWEEN HALFF ASSOCIATES INC. AND THE CITY OF FRUITLAND PARK; REPEALING RESOLUTION 2021-007; PROVIDING FOR AN EFFECTIVE DATE.

**ACTION:** 7:54:30 p.m. and 7:56:02 p.m. After Mr. La Venia identified the most needed project to be at the end of Olive Avenue, **a motion was made by Vice Mayor Gunter and seconded by Commissioner Bell that the city commission adopt Resolution 2021-017 as previously cited.**

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

(Commissioner Bell left the meeting room at this time.)

Upon the recommendations of the city manager and the city attorney, **the city commission, by unanimous consent, accepted the preparation record survey for the Mirror Lake Baffle Box project to be conducted at the intersection of east Mirror Lake Drive and Olive Avenue location.**

(b) **Gator Utility Vehicles Equipment Proposals**

The city commission considered its action to select and award the following quotes:

(Commissioner Bell returned to the meeting room at this time.)

- Kubota Crystal Tractor & Equipment (recommended), \$31,109, and
- Everglades Equipment Group, \$28,690

Mr. La Venia outlined reasons why staff is recommending the selection of Kabota Crystal Tractor & Equipment and requested that an edger and sweeper be utilized with the equipment.

**ACTION:** 7:57:00 p.m. After discussion, **and on motion of Commissioner DeGrave, seconded by Vice Mayor Gunter and unanimously carried, the city commission accepted the city manager's recommendation and awarded the proposal for \$31,109 to Kabota Crystal Tractor & Equipment as the most responsive and responsible bidder.**

**(c) April 2021 Financial Report**

The city commission considered its actions on the April 2021 financial report.

**ACTION:** 7:54:41 p.m. **On motion of Commissioner Bell, seconded by Commissioner DeGrave and unanimously carried, the city commission accepted the April 2021 financial report as submitted.**

**6. (a) City Manager**

**i. Economic Development Status Update**

Mr. La Venia stated that he has nothing to report on economic development at this time.

**ACTION:** 8:01:40 p.m. No action was taken.

**ii. COVID-19 Status Update**

Mr. La Venia announced that Florida Governor Ron DeSantis issued May 3, 2021 Executive Order 21-101 invalidating all remaining local emergency orders based on COVID-19 Emergency (effective immediately) and Executive Order 21-102 suspending all remaining local government mandates and restrictions based on COVID-19 state of emergency declarations to which Ms. Geraci-Carver recognized the extension to be the end of June 2021 (effective date beginning on July 1, 2021).

**ACTION:** 8:01:51 p.m. No action was taken.

**iii. Portable Recording Equipment Status Update**

Mr. La Venia recalled previous city commission discussions on the ability to record official meetings at the community center and referred to the June 8, 2020 BIS Digital Inc.'s quote for a portable recording equipment for \$9,812 in case a larger venue to hold such meetings is required. (A copy of the quote is filed with the supplemental papers to the minutes of this meeting.)

**ACTION:** 8:02:45 p.m. After discussion and by **unanimous consent, the city commission agreed with staff's recommendation to obtain the costs of the previously cited portable recording equipment** (with the ability to connect with the existing amplifier system at the community center) **to be detailed in the forthcoming FY 2021-22 proposed budget.**

**(b) City Attorney**

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

Ms. Geraci-Carver announced that she has no additional updates on the State of Florida Department of Management Services at this time.

**ACTION:** 8:08:17 p.m. No action was taken.

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

Ms. Geraci-Carver announced that she has no additional updates on the Michael and Laurie Fewless case at this time.

**ACTION:** 8:08:17 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 announced that she has no additional updates on the Norman C. Cummins v. Stephen P. Angelillo, Lake County Case at this time.

**ACTION:** 8:08:17 p.m. No action was taken.

**7. UNFINISHED BUSINESS**

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

**ACTION:** 8:08:28 p.m. No action was taken.

**8. PUBLIC COMMENTS**

Mr. Carl Yauk, Villages of Fruitland Park (Pine Hills) resident, referred to the following:

- CAFR Report, pages 77 and 78 respectively showing the police department for the year 2020 in comparison to the sworn police officers and reserves totalling 21 and the police department at 29;
- the public works and public safety buildings, where he concurred with previous statements giving reasons why the design of same ought to be concrete;
- water usage and the notable increased number of residential swimming pool installations at The Villages since COVID-19;

- the use of a permit and the expanding population where he forecasted a foreseeable problem on how the state has allowed bottling companies to extract large amounts of water from the groundwater with less water travelling downstream, and
- the public works building, unisex bathrooms that a wall be erected for future potential use and suggested that the city commission consider the use of solar panels on the roof which generates electricity.

Mr. David Serder, Fruitland Park Unincorporated Area resident, addressed the plans for future residents coming into the area.

ACTION: 8:08:30 p.m. No action was taken.

9. **COMMISSIONERS' COMMENTS**

(a) **Commissioner Mobilian**

Commissioner Mobilian was absent from this evening's meeting.

ACTION: 6:04:53 p.m. No action was taken.

(b) **Commissioner DeGrave**

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

ACTION: 8:14.59 p.m. No action was taken.

(c) **Commissioner Bell**

i. **Professional Architectural Services Design - Public Works and Public Safety Buildings - GatorSketch Corporation**

Commissioner Bell, in reviewing the public safety power-point slide presentation earlier at this evening's meeting, suggested implementing -- similarly to Lake County Board of County Commission chambers -- the installation of multiple display monitors on the dais for each commissioner.

In concurring with Mayor Cheshire's response, Commissioner DeGrave suggested that future presentations be provided in advance for city commission review.

ACTION: 8:15:10 p.m. Upon Mayor Cheshire's suggestion, **the city commission, by unanimous consent, concurred with the city manager's request to conduct a city commission workshop on the public safety building.**

ii. **Lake County Parks, Recreation and Trails Advisory Board**

Commissioner Bell referred to his attendance at and the presentation given by Mr. La Venia at the May 10, 2021 Lake County Parks, Recreation and Trails Advisory Board meeting regarding the Northwest Lake Community Park.

Commissioner Bell announced that the presentation will be made before the county commission on August 10, 2021 and invited the city commission to attend.

**ACTION:** 8:17:16 p.m. No action was taken; however more information on the county commission meeting will be provided prior to the date.

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

**i. Mirror Lake Drive - Traffic and Sidewalks**

Vice Mayor Gunter reported on the potential replacement of the Fruitland Park Elementary School on the Urick Street property at the end of Olive Avenue; relayed the area residents' previous concerns regarding the speed of traffic within said location, and believed that the city commission ought to review traffic-controlled measures before the construction of the school is complete.

Vice Mayor Gunter requested conducting a traffic study on the subject area's needs and suggested that the police department erect electronic traffic signs in the area alerting drivers of their respective posted speeds.

Vice Mayor Gunter recalled his opposition to the city commission's previous position on the concept to install sidewalks in the Mirror Lake Drive area and identified the surrounding neighborhoods where newly developed homes are without sidewalks. He referred to the owner/developer's requirements for sidewalks or pedestrian walkways under the August 29, 1999 The Glen Planned Unit Development Master Development Agreement recognizing that they have still not been installed to which Mr. La Venia interjected is currently the subject of ongoing discussions.

In response to Mayor Cheshire's concerns on the inappropriate planning and placement of sidewalks in the Mirror Lake neighborhood and the need for the proper analysis of same, Vice Mayor Gutner suggested that the city commission review the previously cited concerns.

**ACTION:** 8:17:58 p.m. No action was taken; however, the city commission had no objections to the aforementioned requests.

**ii. Fire Rescue**

In recognizing the city's current fire rescue services, Vice Mayor Gunter pointed out the city's fire hydrants and their current conditions. He suggested that staff communicate with the county to identify the location of the fire hydrants in the city; make arrangements for the periodical maintenance of same (namely, painting them in consistent colors, cleaning

by sandblasting or pressure washing, and implanting blue reflectors on the surface of the roadways), and determine whether a company would be retained or staff to conduct same where staff would require new equipment.

ACTION: 8:18:56 p.m. No action was taken; however, the city commission had no objections to the aforementioned requests.

**iii. FY 2021-20 - Salaries**

After Vice Mayor Gunter addressed the need to review and adjust the city staff's salaries, Mr. Dicus responded on his intent to increase the public works employees to \$15.00 per hour.

Following the city commission's concurrence with Mayor Cheshire's reference to the FY 2020-21 approved budget showing *all fulltime personnel making less than \$15.00 per hour were raised to \$15.00*, Mr. La Venia recognized that the respective salaries were increased after the probationary period and addressed the need for the city commission to review the existing longtime employees who are currently at that rate.

ACTION: 8:27:19 p.m. No action was taken.

**10. MAYOR'S COMMENTS**

**(a) Comprehensive Annual Financial Report September 30, 2020**

Mayor Cheshire voiced his agreement with Commissioner DeGrave's recommendation on the assignment of excess undesignated or unrestricted fund balance towards disaster-related line items as well as supplanting monies in the sinking funds for roads and streets with the remaining funds identified as capital.

After much discussion, Commissioner DeGrave referred to the April 8, 2021 CAFR letter submitted by Mr. La Venia and Ms. Racine which referenced the land area of 73.73 miles of streets in Fruitland Park and an additional 17.008 miles of streets in The Villages

ACTION: 8:31:22 p.m. **By unanimous consent, the city commission agreed with Commissioner DeGrave's suggestion, agreeable by the city manager, for staff to provide allocated funds for the FY 2021-22 proposed budget and for future years, a sinking fund earmarked towards the following roadway paving projects and identify a schedule of an undesignated amount at four miles per annum towards a rudimentary totality of miles of asphalt roadway conditions extending out of a 20-year rolling average:**

- **outside the community redevelopment agency (CRA) district;**
  - o **Moyer Loop, The Villages**
  - o **Drake Drive, The Villages**
  - o **Wingspread Property, Myrtle Lake Road (which has not been paved since it has been developed in 1995)**



- **Chelsea's Run Subdivision, and**
- **within the CRA**
- **Mirror Lake Estates**

(The city manager confirmed, in response to Mayor Cheshire's reference that the county's FY 2029-20 Four and Five-Rated Priority Projects listings -- based on road ratings roadway paving program -- is scheduled to be completed.)

**(b) Professional Architectural Services Design - Public Works and Public Safety Buildings - GatorSkitch Corporation**

Mayor Cheshire gave reasons why he could not support the probable design-bid build cost summary of approximately \$9 million to \$11 million for the public safety building.

**ACTION:** 8:35:59 p.m. Upon Mayor Cheshire's suggestion and by unanimous consent, the city commission authorized the city manager to determine the subject proposed five-year project with reasonable costs to accommodate population growth for consideration at a future workshop.

**(c) Dates to Remember**

- 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.,
- May 27, 2021 City Commission Regular at 6:00 p.m., and
- 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 8:40 p.m.**

The minutes were approved at the May 27, 2021 regular meeting.

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

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