

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
June 24, 2021**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, June 24, 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; Community Development Director Tracy Kelly; Administrative Assistant Sharon Williams; Human Resources Director Jabari Hopkins, Lake County Fire Rescue Lieutenant Jeff Lord; Lake County Firefighters Selli Torres and Hunter Staag, and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order, Pastor Marty Morelli, Life Church Assembly of God, gave the invocation and Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:00:30 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: 6:02:35 p.m. No action was taken.

3. SPECIAL PRESENTATIONS

(a) James “Mark” Isom Sr. Memoriam – Proclamation

On behalf of the city commission, Mayor Cheshire read into the record a proclamation in memory of Mark Isom; asked the citizens to join together to express condolences to the Isom family, and indicated that his presence at city commission meetings will be missed.

ACTION: 6:02:53 p.m. Ms. Dena Isom accepted the proclamation with gratitude.

(b) Grant Writer Presentation

Grant writer presentation by Ms. Katie Taff, Liberty Partners of Tallahassee LLC, gave a power-point on the current American Rescue Plan Act (ARPA) funding (a copy of which is filed with the supplemental papers to the minutes of this meeting) and provided a status update report with Mr. La Venia on the following grant opportunities in the city, the state 2021-22 budget and other matching grants:

- Community Development Block Grant CV Small Cities and Entitlement Pre-Application Program for \$825,000 for an emergency operation center and emergency equipment adopted by the city commission at its March 11, 2021 regular meeting where a positive review was received from the State of Florida Department of Economic Opportunity's June 16, 2021 Technical Assistance Letter; noted their findings and the process to move forward.
- Resilient Florida Grant Program, approved by the governor, to provide grants to local governments to fund the costs of community resilience planning such as statewide flooding and sea level rise and includes wastewater treatment facilities and lift stations and stormwater treatment facilities and pump stations,
- Job Growth Grant Fund Program (economic development infrastructure and job training to include transportation and utility needs) \$76 million which the city ought to pursue;

and

- Electronic Records
 - o Data Recovery Grant Program Years 2021-22
 - and
 - o Access to Historical Records: Archival Projects for FY 2022, National Historical Publications and Records Commission

ACTION: 6:07:26 p.m. No action was taken.

(c) Rezoning (Ordinance 2019-003) Rezoning Ordinance 2019-003 (Petitioner: Leesburg Fruit Company Rufus M. Holloway, Trustee/Holloway Properties, Inc.)

Rezoning Ordinance 2019-003 enacted on September 19, 2019, 177± acres from Commercial Planned Unit Development (PUD) to Mixed Use PUD and approving a master development agreement presentation by Mr. Charles "Chuck" C. Hoitt, BESH-Halff Inc.

Mr. William "Bill" Ray, Ray and Associates., acknowledged the presence of Mr. Hoitt at this evening's meeting, regarding the subject project and described the minor modifications to the previously approved PUD reducing the residential dwelling units by approximately 25 percent and the remaining properties will remain as open space.

After Commissioner DeGrave expressed concerns on the reduction identified as minor, Mr. La Venia indicated that the subject issue, after it is platted, will be considered before the city commission at a future meeting.

ACTION: 6:26:45 p.m. No action was taken.

By unanimous consent, Mayor Cheshire took the following item out of order on this evening's agenda.

(d) Charity Event - Police Department

Mr. Ron Cullum, Villages of Fruitland Park (Pine Hills) resident and a member of Village Vettes Corvette Club, recalled its recent charity event held at the Bushnell National Cemetery in honor of the veterans and expressed heartfelt appreciation to the Fruitland Park Police Department on the involuntarily and unexpected convoy services provided enroute.

ACTION: 6:05:50 p.m. No action was taken.

4. CONSENT AGENDA

Approval of Minutes

June 10, 2021, regular meeting minutes as submitted.

ACTION: 6:31:35 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) Resolution 2021-024 - Preliminary Fire Assessment Rate - GSG Government

Ms. Geraci-Carver read into the record proposed Resolution 2021-024, the substance of which is as follows:

A RESOLUTION OF THE CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE PROVISION OF FIRE SERVICES WITHIN THE VILLAGES OF FRUITLAND PARK BENEFIT AREA IN THE CITY OF FRUITLAND PARK; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ACTION: 6:31:48 p.m. After discussion, a motion was made by Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2021-024 as previously cited.

Mayor Cheshire called for a 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 HEARINGS

(b) Second Reading and Public Hearing - Ordinance 2021-005 Lake County Countywide MSTU for Ambulance and EMS

It now being the time advertised to hold a public hearing, Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2021-005 and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CONSENTING TO THE INCLUSION OF THE CITY OF FRUITLAND PARK, FLORIDA, WITHIN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT (MSTU) OF THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR THE CITY TO BE INCLUDED WITHIN SAID MSTU FOR A SPECIFIED TERM OF THREE (3) YEARS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on May 27, 2021.)

ACTION: 6:33:30 p.m. A motion was made by Commissioner Bell and seconded by Commissioner Mobilian that the city commission enact Ordinance 2021-005 as previously cited to become effective immediately as provided by law.

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

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

(c) Second Reading and Quasi-Judicial Public Hearing Ordinance 2021-003 Master Development Agreement Am. – Westminster Pine Ridge PUD – Emergency Veterinary Clinic - Petitioner: First Baptist Church of Leesburg Inc.

It now being the time advertised to hold a public hearing, Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2021-003 and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE MASTER DEVELOPMENT

AGREEMENT CONDITIONS OF THE WESTMINSTER PINE RIDGE PLANNED UNIT DEVELOPMENT (PUD) TO PROVIDE FOR AN EMERGENCY VETERINARY CLINIC AS A PERMITTED USE; PROVIDING FOR CONFLICTS, SEVERABILITY, AND SCRIVENER'S ERRORS; AND SETTING AN EFFECTIVE DATE. (The first reading was held on June 10, 2021.)

QUASI-JUDICIAL PUBLIC HEARINGS

ACTION: 6:34:55 p.m. A motion was made by Commissioner Mobilian and seconded by Commissioner Bell that the city commission enact Ordinance 2021-003 as previously cited to become effective immediately as provided by law.

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

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

(d) **Quasi-Judicial Public Hearing – Resolution 2021-022 Variance Request – 201 E LaVista Street Signs – Petitioner: New Life Presbyterian Church of Lake Co. Inc.**

It now being the time advertised to hold a public hearing, Ms. Geraci-Carver read into the record the following title of proposed Resolution 2021-022 and Mayor Cheshire called for interested parties to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATION (LDR) REQUIREMENTS PERTAINING TO THE NUMBER OF SIGNS, MAXIMUM SIGN AREA AND SEPARATION DISTANCE, ON THE SUBJECT PROPERTY LOCATED AT 201 EAST LAVISTA STREET AND OWNED BY NEW LIFE PRESBYTERIAN CHURCH OF LAKE CO., INC., PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the June 10, 2021, regular meeting.)

Mr. "Richi" Richard Anderson, President, New Life Presbyterian Church, who was sworn-in by Ms. Geraci-Carver, described in response to Commissioner DeGrave's inquiry, the proposed variance request for three signs (for non-profit organizations) to be located on the subject property at 193, 197, and 201 E LaVista Street, respectively.

After discussion, Ms. Marybeth Harvey, New Life Presbyterian Church, sworn by Ms. Geraci-Carver, confirmed the problem of the motorists' speeds; the ability to see the posted signs and find the locations which she felt ought to be spaced for ease and safety.

Following further discussion and in noting the purpose for advertising sign design destination, Commissioner DeGrave cited the following reasons why he is against the proposition to be considered:

- one property with three buildings on city-owned streets which he believed would be setting a precedence;
- the proposed sign to be located on the rear of the subject property on a hill adjacent to US Highway 27/441; thus, the number of signs for the future business area potentially would pose a distraction for motorists travelling at a high rate of posted speed, and
- the placement of the proposed sign in question is undefined for the southern portion of the subject building.

After Mr. Richardson referred to one-sign variance dimensions, Ms. Kelley, who was sworn, depicted the provisions under subsection 163.060 of the LDRs.

After discussion, Ms. Geraci-Carver addressed, in response to Commissioner DeGrave's inquiry on the city commission's ability to approve one of the proposed variance request (the alternate plan) to replace the electric sign with one monument sign which lists all three non-profit organizations which would constitute a subsequent change in the body of the proposed resolution.

ACTION: 6:35:57 p.m. After discussion, **Commissioner DeGrave proffered a motion to adopt Resolution 2021-022 as previously cited granting the variance request changing it from *construct two (2) additional monument signs not to exceed 50- square feet of sign area each* to the alternate variance request reflecting a *single monument sign not to exceed 10' by 10', 100 square feet, accepted by the applicant.***

After discussion and **by unanimous consent, the city commission accepted staff's request, agreeable by the city attorney, to implement the proposed Electronic Message Boards language under subsection 163.070: c) 1) xvi), Sign Regulations from the Land Development Code endorsed at the March 18, 2021 joint planning and zoning board and city commission workshop to be conditional upon the city commission's approval.**

Upon Mayor Cheshire's request, **Commissioner DeGrave restated the motion, seconded by Vice Mayor Gunter that the city commission adopt aforementioned Resolution 2021- 022 granting the alternate variance request**

for a single monument sign not to exceed 10' by 10', 100 square feet to replace the existing sign regulations for monument signs under Chapter 163, Sign Regulations of the Land Development Regulations and accepted staff's request to implement the Electronic Message Boards language under subsection 163.070: c) 1) xvi), Sign Regulations from the Land Development Code as previously cited.

After discussion, **Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.** (The commission justified its action as non-president setting which was due to the subject property's elevated location.)

(e) Second Reading and Quasi-Judicial Public Hearing - Ordinance 2021-008 - Rezoning – 212 E LaVista Street – Petitioner: New Life Presbyterian Church of Lake County Inc.

It now being the time advertised to hold a public hearing, Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2021-008 and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 0.25± ACRES OF PROPERTY LOCATED AT 212 EAST LAVISTA STREET, FRUITLAND PARK, FLORIDA FROM RESIDENTIAL PROFESSIONAL (RP) TO THE DESIGNATION OF PUBLIC FACILITIES DISTRICT (PFD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on June 10, 2021, affidavit revealed April 22, 2021 first reading and second reading May 13, 2021 which never occurred and there were no other public notices stating otherwise.)

ACTION: 6:52:36 p.m. A motion was made by Commissioner Bell and seconded by Commissioner Mobilian that the city commission enact Ordinance 2021-008 as previously cited to become effective immediately as provided by law.

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

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

(f) **Second Reading and Quasi-Judicial Public Hearing - Ordinance 2021-004 – Rezoning 0.26+ Acres – RP-PFD – 115 S Villa Avenue – Petitioner: New Life Presbyterian Church of Lake County Inc.**

It now being the time advertised to hold a public hearing, Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2021-004 and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 0.26 ± ACRES OF PROPERTY LOCATED AT 115 SOUTH VILLA AVENUE, FRUITLAND PARK, FLORIDA FROM PUBLIC FACILITIES DISTRICT (PFD) TO THE DESIGNATION OF RESIDENTIAL PROFESSIONAL (RP) WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SCRIVENER’S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on June 10, 2021.)

ACTION: 6:54:43 p.m. A motion was made by Vice Mayor Gunter and seconded by Commissioner Mobilian that the city commission enact Ordinance 2021-004 as previously cited to become effective immediately as provided by law.

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

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

END OF PUBLIC HEARINGS

END OF QUASI-JUDICIAL PUBLIC HEARINGS

6. (a) **City Manager**

i. **Economic Development Status Update**

Mr. La Venia introduced Mr. Dwayne Williams was present at this evening’s meeting who will begin his employment with the city as the city’s new community development director on July 6, 2021 and announced that Ms. Kelley will serve as the deputy.

ACTION: 6:55:03 p.m. No action was taken.

ii. COVID-19 Status Update

Since there has been no significant activities relating to COVID-19, Mr. La Venia addressed his preference for same to be removed from his future agenda reports.

ACTION: 6:56:10 p.m. **By unanimous consent, the city commission accepted the city manager's request as previously cited.**

iii. Professional Architectural Services Design - Public Works and Public Safety Buildings - GatorSkitch Corporation

Mr. La Venia addressed the following:

- Public Safety Building - the plan to meet with Lake County Manager Alan Rosen, Deputy Manager Jo Ann Drury, Fire Chief James "Jim" P. Dickerson, Emergency Management Division Director Thomas Carpenter, Chief Luce and himself; Chief Luce's prepared needs analysis for the building which will be addressed at the next meeting with the intent to request same and other matters from the county, and the anticipated ARPA to the county earmarked for infrastructure investments.

- Public Works Building
 - May 13 presentation given by Mr. Michael "Mike" B. Latham, GatorSkitch Architects and Planners;
 - city commission's consensus to proceed with the development of the public works building;
 - preference to utilize block for the building at an approximate cost of \$60,000;
 - acceptance at the June 10, 2021 regular meeting to design a sprinkler system for up to \$90,000;
 - plan to submit a change order for an additional site work for up to 150k for consideration on the July 8, 2021 regular agenda

ACTION: 6:56:20 p.m. and 7:07:47 p.m. No action was taken; however, Mayor Cheshire suggested that staff postpone the commencement of work until the fall in prices for construction materials.

(b) City Attorney

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

Ms. Geraci-Carver had no report to submit on the State of Florida Department of Management Services case.

ACTION: 7:11:10 p.m. No action was taken.

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

Ms. Geraci-Carver had no report to submit on the Michael and Laurie Fewless case.

ACTION: 7:11:10 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 reported that she received notification earlier this day on the Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case No. 2020-CA-1026 that the plaintiff's attorney plans to file a motion to move the case along with the anticipation of scheduling soon.

ACTION: 7:11:10 p.m. No action was taken.

iv. Financial Disclosure (Form 1, Statement of Financial Interests) 2020

Ms. Geraci-Carver reminded the local officers and employees identified on the financial disclosure to file their Form 1, Statement of Financial Interests for 2020 before the July 1, 2021 with the local supervisor of elections.

ACTION: 7:11:35 p.m. No action was taken.

v. RFP – Solid Waste Collection Services

In response to Mr. La Venia's inquiry, Ms. Geraci-Carver reported on staff's compilation of the proposed request for proposal bid for residential and commercial solid waste collection services (garbage, yard trash, and recycling) and anticipated finalizing the changes to same for issuance in the very near future.

Mr. La Venia encouraged the city commissioner members to individually provide him with comments on same that were previously provided to them; a copy of which is filed with the supplemental papers to the minutes of this meeting.

ACTION: 7:11:51 p.m. No action was taken.

vi. Absence

Later in the meeting, Ms. Geraci-Carver announced that she will not be in attendance for the July 8, 2021 regular meeting as she will be attending the Municipal Attorney's Association Annual Seminar in Palm Beach County.

ACTION: 7:14:43 p.m. No action was taken.

7. UNFINISHED BUSINESS

There was no unfinished business at this time.

ACTION: 7:12:15 p.m. No action was taken.

8. PUBLIC COMMENTS

There were no public comments at this time.

ACTION: 7:12:17 p.m. No action was taken.

9. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian – LŠ~MPO

Commissioner Mobilian reported that the Lake~Sumter Metropolitan Planning Organization held a virtual meeting on June 23, 2021; noted that the CR 466A (Phase 3 Roadway Improvement project for FY 2021-22), remains as number 1 on the priority project list.

ACTION: 7:12:45 p.m. No action was taken.

(b) Commissioner DeGrave

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

ACTION: 7:13:33 p.m. No action was taken.

(c) Commissioner Bell – NW Lake Community Park

Commissioner Bell encouraged the city commission to attend the August 10, 2021 Lake County Board of County Commissioners FY 2021-22 Budget workshop regarding the Office of Management and Budget's presentation on the list of capital projects recommended by the Parks, Recreation and Trails Advisory Board which includes Northwest Lake Community Park (Cales Memorial Athletic Complex) Multipurpose Soccer Field.

ACTION: 7:14:53 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: 7:13:36 p.m. No action was taken.

10. MAYOR'S COMMENTS

Dates to Remember

Mayor Cheshire noted the following events:

- July 5, 2021, City Hall Closed – Holiday Observed on July 4, 2021
- July 8, 2021, City Commission Regular at 6:00 p.m.

- July 9, 2021, LCLC *District School Update*, Diane Kornegay, Superintendent of Lake County Schools, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.
- July 22, 2021, City Commission Regular at 6:00 p.m.

- August 2 and 3, 2021 City Commission (FY 2021-22 Budget) Workshop at 6:00 p.m.
- August 9, 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.
- August 10, 2021, LCBCC (NW Lake Community Park Presentation) TBD.
- August 12, 2021, City Commission Regular – Cancelled
- August 12-14, 2021, Florida League of Cities Annual Conference, Orlando World Center Marriott, 8701 World Center Drive, Orlando, Florida 32821 at 8:00 a.m.
- August 25, 2021, LS~MPO Meeting, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida 34748 at 2:00 p.m., and
- August 26, 2021, City Commission regular at 6:00 p.m. where he acknowledged that Commissioner Bell is expected to be absent.

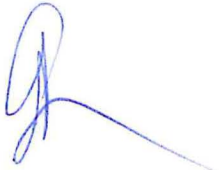
Mayor Cheshire suggested that the city commission members forward their future schedules to Ms. Coulson in order to plan for forthcoming workshops.

ACTION: 7:13:38 p.m. No action was taken.

12. 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 7:16 p.m.

The minutes were approved at the July 22, 2021 regular meeting.

Signed 
Esther B. Coulson, City Clerk, MMC

Signed 
Chris Cheshire, Mayor

