

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

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, July 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 Attorney. Anita Geraci-Carver, City Treasurer Jeannine Racine; Police Chief Erik Luce, Community Development Director Dwyane Williams; Human Resources Director Jabari Hopkins, and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order, Youth Minister Marty Clayton, Grace Bible Baptist Church, gave the invocation and Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:01:29 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 Mr. Hopkins was representing City Manager Gary La Venia who is absent from this evening's meeting.

ACTION: 6:01:54 p.m. No action was taken.

3. CONSENT AGENDA

Approval of Minutes - July 8, June 24, 2021 regular and March 18, 2021 joint workshop.

ACTION: 6:02:20 p.m. **On motion of Commissioner Bell seconded by Commissioner and unanimously carried, the city commission approved the consent agenda as previously cited.**

4. REGULAR AGENDA

(a) Resolution 2021-029 – Proposed Millage FY 2021-22

Ms. Geraci-Carver read into the record the title of proposed Resolution 2021-029, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY
OF FRUITLAND PARK, LAKE COUNTY, FLORIDA,
ADOPTING A NOT TO EXCEED MILLAGE RATE OF 3.9134
LEVYING OF AD VALOREM TAXES FOR FISCAL YEAR
2021-2022 AND SETTING THE DATE, TIME AND PLACE OF

PUBLIC HEARING ON THE BUDGET FOR FISCAL YEAR
2021-2022 PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:02:35 p.m. After Mayor Cheshire announced the proposed millage rate the same as the last three years and following further discussion, a **motion was made by Commissioner Mobilian and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2021-029 as previously cited.**

Mr. Carl Yauk, Villages of Fruitland Park (Pine Hills) resident, questioned the current total revenue is to the expenses year-to-date and anticipated high (surplus and deficit) regarding the budget.

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

By unanimous consent, Mayor Cheshire opened the public hearing at this evening's meeting.

PUBLIC HEARING

(b) Second Reading and Public Hearing – Ordinance 2021-009 SRF Revolving Loan 1st Am. Agreement

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2021-009, Ms. Geraci-Carver read into the record the following subject title and Mayor Cheshire called upon the public to be heard:

AN ORDINANCE OF CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; APPROVING THE STATE REVOLVING FUND AMENDMENT 1 TO LOAN AGREEMENT WW350820 CITY OF FRUITLAND PARK; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE. (First reading was held on July 8, 2021.)

ACTION: 6:06:15 p.m. A **motion was made by Commissioner Mobilian and seconded by Commissioner DeGrave that the city commission enact Ordinance 2021-009 as previously cited to become effective as provided by law.**

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

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

END OF PUBLIC HEARING

5. (a) **City Manager**

Due to Mr. La Venia's absence, there was no report to submit at this time.

ACTION: 6:07:29 p.m. No action was taken.

(b) **City Attorney**

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

Ms. Geraci-Carver had nothing to report on the State of Florida Department of Management Services case.

ACTION: 6:07:39 p.m. No action was taken.

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

Ms. Geraci-Carver announced the anticipation of the record transcript from the hearing in the Michael and Laurie Fewless case to be filed which would trigger responses from the city and the petitioner to be the submitted recommended orders.

ACTION: 6:07:39 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**

With respect to the Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case No. 2020-CA-1026, Ms. Geraci-Carver reported on the recent filing of the motion for summary judgement and the wait for the hearing date. She noted the recent amendments earlier this year to Florida Rule of Civil Procedure 1.510 summary judgement and addressed the potential outcome as a result of the Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park case.

ACTION: 6:07:58 p.m. No action was taken.

iv. **Legislative Update**

At Mr. La Venia's request, Ms. Geraci-Carver reviewed the following matters adopted in the 2021 Legislative Session where:

- **Impact Fees** (House Bill 337) limits local governments' right to increase same more than 25 percent of the current rate in two equal annual increments or current rate exceeding 25 to 50 percent to be in four equal installations whereas much may not be increased more than once every four years and in addition to a number of provisions, said bill is retroactive to January 1, 2021;

- **Home-Based Businesses** (HB 403) eliminates vocational rentals; thus, the need to review the city's existing code as to what is allowed to be regulated;
- **Private Property Rights** (HB 59) -- based on a telephone conference meeting held earlier this day with Messrs. Williams, LPG Urban Planners Inc. and herself, a new element would be identified when considering rezoning to the comprehensive plan or changes to the code anticipated to be considered at the August 19, 2021 Planning and Zoning Board;
- **Growth Management - Small-Scale Development Amendments** (HB 487) the adoption process can involve a use of 50 acres or fewer;
- **Civil Liability for Damages - COVID-19** (HB 7) one would be immune from litigation, if standards or guidance of an authoritative or controlling source is followed, and
- **Combating Public Disorder**(HB 1) law municipal enforcement officers are permitted to respond to persons and property during a riot or unlawful assembly; thus, the recommendation to adopt a policy in that regard.

ACTION: 6:08:35 p.m. No action was taken.

6. UNFINISHED BUSINESS

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

ACTION: 6:16:26 p.m. No action was taken.

7. PUBLIC COMMENTS

Mr. Yauk complimented the appearance of the property on the intersection of CR 466A and Dixie Avenue; however, after voicing concerns on the rate of speed experienced earlier this day on the double yellow lines marked on Micro Race Track Road CR 466A, and in response to Mayor Cheshire's inquiry, Mr. Luce addressed his plan to relay said concerns to the Lake County Sheriff's Office. .

Mr. Yauk questioned the status of the TRAKiT/Superion (Solutions) LLC Citizens' Engagement, CentralSquare Technologies; when the Coronavirus Aid Relief and Economic Security Act Funds – Coronavirus Disease-19 to be earmarked to the city, and pointed out Liberty Partners of Tallahassee's American Rescue Plan Act presentation at the June 24, 2021 regular meeting on the available funds where he anticipated that the city would utilize same to assist citizens with job growth and education.

In response, Mayor Cheshire explained that Mr. La Venia would deal with the matters upon his return.

Mr. David Serder, Fruitland Park Unincorporated Area resident, expressed his gratitude to appear before the elected officials.

ACTION: 6:16:29 p.m. No action was taken.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

Mr. Luce confirmed, in response to Commissioner Mobilian's inquiry, that his compliments regarding the Lake County Fire Rescue personnel addressed at the July 22, 2021 were relayed to Mr. Gerald "Jerry" L. Smith II, Lake County Office of Emergency Medical Services Director.

ACTION: 6:22:46 p.m. No action was taken.

(b) Commissioner DeGrave

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

ACTION: 6:22:59 p.m. No action was taken.

(c) Commissioner Bell

Commissioner Bell announced that after returning home from vacation recently, his home sustained damage due to lightning.

ACTION: 6:23:01 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: 6:24:08 p.m. No action was taken.

8. MAYOR'S COMMENTS

(a) August 2 and 3 2021 Workshops - FY 2021-22 Proposed Budget

Mayor Cheshire encouraged the city commission to seek answers to involved questions with Mr. La Venia and the department directors prior to the August 2 and 3 budget workshops and anticipated that Waste Management Services Inc.'s representative to be in attendance at the August 3, 2021 budget workshop.

In comparison to the August 3, 2020 budget workshop where the power-point presentation was given by Ms. Racine, Mayor Cheshire indicated that department heads would be present to address any questions by the city commission.

ACTION: 6:24:12 p.m. and 6:26:30 p.m. No action was taken.

(a) Dates to Remember

Mayor Cheshire announced the following events:

- 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 Lake County Board of County Commission Budget Workshop (Infrastructure Sales Tax Capital Improvement Plan - NW Lake Community Park), Lake County Administration Building, 315 W Main Street, Tavares, Florida 32778 at 10:00 a.m.
- 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 20, LCLC School board
- August 25, 2021, Lake Sumter~Metropolitan Planning Organization 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.

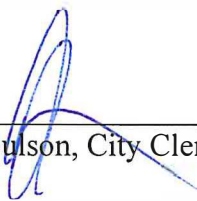
ACTION: 6:25:46 p.m. No action was taken.

9. 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 6:28 p.m.

The minutes were approved at the August 26, 2021 regular meeting.

Signed _____
Esther B. Coulson, City Clerk, MMC



Signed _____
Chris Cheshire, Mayor

