

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

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, October 14, 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; Senior Finance Specialist Christine Hoop, Finance Department; Lieutenant Henry Rains, Police Department, Public Works Director Robb Dicus; Community Development Director Dwyane Williams; Parks and Recreation Director Michelle Yoder, Human Resources Director Jabari Hopkins, Lake County Fire Rescue Matt Einhorn and Chris Albert, and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order, Pastor Allen T. Tillman, New Salem Missionary Baptist Church of Fruitland Park Inc., gave the invocation and Lieutenant Rains led in the pledge of allegiance to the flag.

ACTION: 6:00:02 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: 6:02:21 p.m.

3. SPECIAL PRESENTATIONS

(a) Proclamation – *White Cane Safety Day* October 15, 2021

On behalf of the city commission, Mayor Cheshire read into the record a Proclamation recognizing October 15, 2021 as *White Cane Safety Day* for persons who are blind and visually impaired and encouraged the citizens to be conscious that persons with disabilities have much to offer where their energy, creativity and hard work can greatly strengthen our city and our economy, and to be mindful that the white cane is an instrument of safety and independence for persons who are blind and visually impaired.

ACTION: 6:02:43 p.m. Mses. Christine “Christy” A. Delmonico and Sherry Garred, New Vision for Independence Inc., accepted the proclamation with gratitude.

(b) **Public Works and Public Safety Complex Buildings Presentation - GatorSkitch Corporation**

Mr. "Mike" Michael B. Latham, GatorSkitch Corporation, gave a power-presentation on the public works and public safety buildings and addressed the procedures to be implemented, if approved to which Mr. La Venia anticipated the procurement process, in working with Halff Inc., to begin at the end of 2021. (The power-point presentation is filed with the supplemental papers to the minutes of this meeting.)

ACTION: 6:05:50 p.m. After much discussion, and by **unanimous consent, the city commission accepted the public works and public safety complex buildings presentation as submitted and authorized staff to proceed with the public works and public safety complex building projects.**

4. **CONSENT AGENDA**

The city commission considered its approval of the following consent agenda items:

(a) **Approval of Minutes**

- i. **August 2, workshop**
- ii. **August 3, workshop**

(b) **Resolution 2021-040 City Treasurer Appointment**

A RESOLUTION OF THE CITY OF FRUITLAND PARK, APPOINTING A CITY TREASURER, PROVIDING FOR THE TERM OF OFFICE; PROVIDING FOR AN EFFECTIVE DATE.

(c) **Resolution 2021-041 City Attorney Appointment**

A RESOLUTION OF THE CITY OF FRUITLAND PARK, APPOINTING A CITY ATTORNEY, PROVIDING FOR THE TERM OF OFFICE; PROVIDING FOR AN EFFECTIVE DATE.

(d) **Resolution 2021-042 City Clerk Appointment**

A RESOLUTION OF THE CITY OF FRUITLAND PARK, APPOINTING A CITY CLERK, PROVIDING FOR THE TERM OF OFFICE; PROVIDING FOR AN EFFECTIVE DATE.

(e) **Resolution 2021-043 - LCLC Membership**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER AND ALTERNATE TO THE LAKE COUNTY LEAGUE OF CITIES, INC.; PROVIDING THE TERM EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

(f) **Wreaths Across America Day Program**

Motion to grant John Gella Memorial Unit 219 of the American Legion Auxiliary's request permitting them to hold the ninth annual Wreaths

Across America Ceremony at Shiloh Cemetery on Saturday, December 18, 2021.

ACTION: 6:28:09 p.m. After discussion and **on motion Commissioner DeGrave, seconded by Commissioner Bell and unanimously carried, the city commission approved the consent agenda as previously cited.**

5. REGULAR AGENDA

(a) Resolution 2021-034 Soccer Field 5th Am. – NW Lake Community Park

Ms. Geraci-Carver read into the record proposed Resolution 2021-034, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE FIFTH AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK REGARDING JOINT DEVELOPMENT OF A SOCCER FIELD AT NORTHWEST LAKE COMMUNITY PARK; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the September 9, 2021 regular meeting.)

ACTION: 6:28:51 p.m. After discussion, **a motion was made by Commissioner Bell and seconded by Commissioner Mobilian that the city commission adopt Resolution 2021-034 as previously cited.**

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

(b) Resolution 2021-039 Fire Department State Pension Budget Amendment FY 2020-2021

Ms. Geraci-Carver read into the record proposed Resolution 2021-039, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2020/2021 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE FIRE INSURANCE PREM TAX PENSIONS REVENUE BUDGET AND THE STATE FIREFIGHTER RETIRMENT CONTRIBUTION EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:31:27 p.m. Following much discussion, **a motion was made by Commissioner DeGrave and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2021-039 as previously cited.**

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

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

PUBLIC HEARING

(c) First Reading and Public Hearing - Ordinance 2021-014 SRF Loan Program Project #WW350821/SG350822 – FY 2022 – FDEP

Ms. Geraci-Carver read into the record the following title of Ordinance 2021-014, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE. (The second reading will be held on November 18, 2021.)

ACTION: 6:37:22 p.m. Following much discussion, a motion was made by **Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission approve Ordinance 2021-014 as previously cited.**

There being no comments 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 unanimously carried.

END OF PUBLIC HEARING

QUASI-JUDICIAL PUBLIC HEARING

(d) Second Reading and Quasi-Judicial Public Hearing – 2021-010 Private Property Rights Element – Comprehensive Plan Amendment

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2021-010, after Ms. Geraci-Carver read into the record the title, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, STATE OF FLORIDA, PURSUANT TO THE PROVISIONS OF FLORIDA STATUTE 163.3184; AMENDING

THE CITY'S COMPREHENSIVE PLAN; ADDING AND ADOPTING, PRIVATE PROPERTY RIGHTS ELEMENT OF THE COMPREHENSIVE PLAN; DIRECTING THE CITY CLERK TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE SECRETARY OF STATE FLORIDA; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on August 26, 2021.)

ACTION: 6:50:10 p.m. After further discussion, a motion was made by Commissioner Mobilian and seconded by Commissioner Bell that the city commission adopt Ordinance 2021-010 as previously cited to become effective the date the state land planning agency issues a final order determining the comprehensive plan to be in compliance with Chapter 163, Florida Statutes, or the date the Division of Administrative Hearings issues a final order determining the adopted 2035 Comprehensive Plan to be in compliance with Chapter 163, Florida Statutes, whichever occurs first.

There being no comments 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 unanimously carried.

END OF QUASI-JUDICIAL PUBLIC HEARING

6. (a) **City Manager**

i. **Economic Development Status Update**

With respect to future economic developments, Mr. La Venia mentioned the plan to meet on October 20, 2021 with staff and representatives of: Benchmark Development I, LLC and addressed the proposed town homes planned by Fruitland Park LLC.

Mr. La Venia relayed concerns to the recent proposition for 750 apartment units on thirty-five acres at the site around the vicinity of North CR 466A and East Timbertop Lane. After he recommended that the developer refer to Boundary Amendment Ordinance 2008-018 rezoning planned unit development-mixed use (enacted by the city commission at its December 10, 2008 quasi-judicial public hearing), Ms. Geraci-Carver pointed out the master development agreement and the Live Oak Center Conceptual Plan. and outlined the process in which to propose same before the commission.

ACTION: 6:41:41 p.m. After further discussion and **by unanimous consent, the city commission directed staff to reject the proposition for development as previously cited by the city manager.**

ii. Events - Parks and Recreation

Ms. Yoder gave a report on the following events at the recreation center:

- October 8, 2021 *Spooktacular Movie and Party Night* with a costume contest;
- October 22, 2021 *Comedy Night Show* at 8:00 p.m. for \$20.
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- November 20, 2021 *Brews Blues and BBQ*, an annual event evolved from *Fruitland Park Day*, hosted by the Firefighter Charity of Central Florida – proceeds are donated to local charities; a copy of which is filed with the supplemental papers to the minutes of this meeting
- December 3, 2021 *Employee Christmas Party*, and
- December 10, 2021, *Hometown Christmas*

ACTION: 6:50:50 p.m. **By unanimous consent, the city commission accepted staff's request to sanction the annual Brews Blues and Barbeque as a city-event.**

iii. Vacation

Mr. La Venia announced that he will be away on vacation during the last week in October 2021 and will not be able to attend the October 28, 2021 regular meeting.

ACTOPM” 7:06:18 p.m. No action was necessary.

(b) City Attorney

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

Ms. Geraci-Carver addressed the need for obtaining advice relating to litigation strategy, expenditures, and settlement negotiations on the Department of Management Services Division of Retirement, State of Florida, Division of Administrative Hearings Case No. 20-0644.

Ms. Geraci-Carver announced that the closed-session is to be held on October 19, 2021 at 6:00 p.m. in the city commission chambers at 506 West Berckman Street, Fruitland Park, Florida 34731 and then closed-session in the conference room expected to take one to one-and-a half hours and she identified those anticipated to be present in accordance to Florida Statutes.

ACTION: 6:59:11 p.m. By unanimous consent, the city commission agreed to hold the Attorney-Client Closed Session on the above-captioned case on October 19, 2021 as previously cited by the city attorney.

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

Ms. Geraci-Carver addressed the plan to hold an attorney-client sessions with the need for advice on expenditures and settlement negotiations on the Michael and Laurie Fewless, Lake County Case No. 2020-CA-000104.

ACTION: 6:59:11 p.m. By unanimous consent, the city commission agreed to hold the Attorney-Client Closed Session on the above-captioned case on October 19, 2021 as previously cited by the city attorney.

iii. 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 Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case No. 2020-CA-1026 foreclosure hearing on the motion for final summary judgement by the plaintiffs which is scheduled for March 1, 2022 and anticipated final resolution in that regard.

ACTION: 6:58:52 p.m. No action was taken.

iv. City Seal/Logo

Ms. Geraci-Carver requested the city commission's direction on the city seal/logo and referred to the Florida Statutes to enact an ordinance designating the seal. She recognized the city's current logos and the city's official seal kept by the city clerk. Ms. Geraci-Carver acknowledged local governments' enforcements on their trademarks and designations to provide protections with permissions to implement same which the city commission could pursue and addressed her intent to obtain clarification recognizing other "friendly city" and "windmill" designations.

After pointing out the city commission's consensus at its May 28, 2021 regular meeting agreeing to change the city's current friendly city logo by slowly transitioning to the windmill logo, Ms. Geraci-Carver believed the city commission ought to adopt a resolution approving the two logos.

ACTION: 7:01:06 p.m. After discussion and by unanimous consent, the city commission agreed for the city attorney to draft a resolution adopting the logos as previously cited by phasing out one and have the permission to utilize both.

v. City Attorney's Absence

Ms. Geraci-Carver reported that she will be out-of-town during the last week of October 2021 and that Attorney Sanford "Sandi" Minkoff will be attending on her behalf.

ACTION: 7:06:06 p.m. No action was necessary.

7. UNFINISHED BUSINESS

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

ACTION: 7:06:43 p.m. No action was necessary.

8. PUBLIC COMMENTS

Mr. David Serdar, City of Fruitland Park Unincorporated Area resident, addressed the need for younger people to be in service.

ACTION: 7:06:47 p.m. No action was necessary.

9. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

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

ACTION: 7:10:27 p.m. No action was necessary.

(b) Commissioner DeGrave

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

ACTION: 7:10:30 p.m. No action was necessary.

(c) Commissioner Bell

i. Public Works and Public Safety Complex Buildings Presentation - GatorSkitch Corporation

The city commission voiced their concurrence with Commissioner Bell's concerns on the difficulty to view the power-point presentation on the public works and public safety complex buildings made earlier on this evening's meeting agenda under Item 3.(b).

Mr. La Venia reported on the Sumter County Board of County Commission's actions at its October 12, 2021 regular meeting on its four action steps to implement its vote for two district fire operations and two district Emergency Medical Services (EMS) Transport Operations and the process (before FY 2022-23) to become established as independent special fire control districts under Chapter 191 of the Florida Statutes where EMS will be incorporated in that regard and The Villages Public Safety Department will be stand alone.

Mr. La Venia addressed the need in the future to conduct further research on the potential consequences of the counties' Municipal Services Taxing Units, the local governments' fire assessments and modifications to their respective contracts.

After Commissioners DeGrave and Moblian voiced concerns on Sumter County's omission in communicating with the affected governmental entities and the rural areas; its lack of financial information provided, and its ultimate decision reached in that regard, Commissioner DeGrave suggested formulating concerns in writing to Sumter County Commission amongst Lake and Marion Counties and their governmental entities.

ACTION: 7:10:34 p.m. By unanimous consent, the city commission directed the city manager to write a letter to Mr. Richard J. Bair, The Villages Community Development District, outlining the city commission's concerns on Sumter County's position to become established as independent special fire control districts as previously cited.

ii. LCLC Appointment

Mr. La Venia relayed the Lake County League of City's appointment of Commissioner Bell as vice president at its October 8, 2021 meeting..

ACTION: 7:25:42 p.m. No action was necessary.

(d) Vice Mayor Gunter, Jr.

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

ACTION: 7:24:27 p.m. No action was necessary.

10. MAYOR'S COMMENTS

(a) Public Works and Public Safety Complex Buildings Presentation - GatorSkitch Corporation

Following Mayor Cheshire's suggestion for the grant writer to seek grant funding for solar energy efficiency grants as it relates to the public works and public safety complex buildings, Mr. La Venia pointed out the October 8, 2021 Lake County League of Cities' presentation made by US Congressman Daniel Webster on his support for the passage of the infrastructure bill and recalled recent conversations he had with Mayor Cheshire on the placement of charging stations in the city's buildings.

Commissioner DeGrave suggested reviewing the Land Development Regulations to include such provisions when siting a fuel station or hotel development.

ACTION: 7:24:31 p.m. By unanimous consent, the city commission directed the city manager to make arrangements with Liberty Partners of

Tallahassee LLC, grant writers retained by the city, to explore grant applications relating to solar incentives/energy conservation efficiency grant programs for the public works building and the new public safety complex building.

(b) Dates To Remember

Mayor Cheshire acknowledged the following events:

- October 19, 2021 in the city commission chambers and then closed-session in the conference room at 6:00 p.m.
- October 27, 2021, Lake~Sumter Metropolitan Planning Organization (LS~MPO) Governing Board Meeting, MPO Board Room Suite 175, 1300 Citizens Boulevard, Leesburg, Florida 34748 at 2:00 p.m.;
- October 28, 2021, City Commission regular at 6:00 p.m.;

- November 8, 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.;
- November 11, 2021, Veterans' Day, City Hall Closed;
- November 11, 2021, City Commission regular at 6:00 p.m. – Cancelled;
- November 17, 2021, Thanksgiving Luncheon Community Center, 201 205 W Berckman Street, Fruitland Park, Florida 34731 at 12:00 p.m.;
- November 18, 2021, City Commission special at 6:00 p.m.;
- November 19, 2021, *Sponsor's Day Event*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:30 p.m.;
- November 25, 2021, Thanksgiving – City Hall Closed;
- November 25, 2021, City Commission regular at 6:00 p.m. – Cancelled, and
- November 26, 2021, Day After Thanksgiving – City Hall Closed;

ACTION: 7:28:04 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 7:29 p.m.

The minutes were approved at the December 9, 2021 regular meeting.

Signed _____
Esther B. Coulson, City Clerk, MMC

Signed _____
Chris Cheshire, Mayor

