

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
January 13, 2022**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 13, 2022, 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, Senior Finance Clerk Sue Parker; Police Chief Erik Luce; Community Development Director Dwyane Williams; Public Works Director Robb Dicus, Administrative Assistant Candice Dennis, 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: 6:00:19 p.m. No action was taken.

**2. ROLL CALL**

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

Mayor Cheshire announced the following agenda changes:

**Item 5(a) Approval of Minutes**

Page seven of ten corrected to reflect the removal of the words, *Public Risk Management of Florida*.

**Item 7(e) First Reading – Ordinance 2022-001 Amending and Restating LDC**

To be postponed to the January 27, 2022 regular meeting.

**Item 7(g) First Reading – Ordinance 2022-003 SRF Loan Program**

Corrected to reflect language in the title and body of the proposed ordinance.

Mayor Cheshire acknowledged the presence of and introduced Ms. Dennis who will be assisting the city clerk and commended her on her performance.

ACTION: 6:01:45 p.m. **By unanimous consent, the city commission accepted the above-captioned changes on this evening's agenda.**

**3. SPECIAL PRESENTATIONS**

**Weather Radar Station Presentation - Climavision**

Ms. Tara Leigh Goode, (Strategic Partnerships) Climavision, gave a power-point presentation on filling 250 gaps in traditional weather surveillance; partnership efforts to install compact radars on water towers at no cost, data access on the area with the emergency management team; and the installation process.

**ACTION:** 6:03:09 p.m. The city commission took no action but accepted that staff would review the weather radar station and report back to the city commission. Additionally, staff would be provided with a video regarding the weather coverage gap-filling impact; the report on the real-time weather data technology for residents' access, and clarification on the clause under Section 17., Subletting and Assignment by Tenant in the lease agreement.

**4. RECESS TO THE COMMUNITY REDEVELOPMENT AGENCY**

As soon as practical at 6:15 p.m., recess to the Community Redevelopment Agency meeting.

**ACTION:** By unanimous consent, the city commission recessed its meeting at 6:31 p.m. to the Community Redevelopment Agency meeting and reconvened at 6:36 p.m.

**5. CONSENT AGENDA**

The city commission considered its action to approve the following consent agenda items:

**(a) Approval of Meeting Minutes – December 9, 2021**

**(b) LS-MPO Governing Board Member, Alternate and TAC Appointments/Reappointments**

**i. Appointment of Commissioner John Mobilian as a member to the Lake-Sumter Metropolitan Planning Organization Governing Board (LS-MPO) Governing Board.**

**ii. Appointment of Vice Mayor John L. Gunter as an alternate member to LS-MPO Governing Board.**

**iii. Appointment of Public Works Director Robb Dicus as a member to the LS-MPO Technical Advisory Committee.**

**ACTION:** 6:35:53 p.m. On motion of Commissioner DeGrave seconded by Commissioner Mobilian and unanimously carried, the city commission approved the consent agenda as previously cited.

**6. REGULAR AGENDA**

**(a) Resolution 2021-044 – Records and Archive Management Services - Professional Services Agreement – SML Inc.**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2021-044, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE PROFESSIONAL SERVICES AGREEMENT BETWEEN SML, INC. AND CITY OF FRUITLAND PARK CONTRACT FOR RECORDS AND ARCHIVE MANAGEMENT SERVICES; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from October 28, 2021.)

Mr. Matt Daugherty, SML Inc.. gave a detailed overview on the records management program in accordance to statutory requirements.

**ACTION: 6:36:56 p.m. A motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission adopt Resolution 2021-044 as previously cited.**

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

**(b) Centennial Committee Member Appointments Discussion**

The city commission discussed the centennial committee and member appointments.

**ACTION: 6:50:46 p.m. After much discussion and by unanimous consent, the city commission agreed with the city manager's suggestion to place an advertisement on the city's monthly utility bill seeking individuals to serve on the centennial committee.**

**(c) Redevelopment Tax CRA Fund**

The city commission considered its action to approve payment of invoices from the general fund to the redevelopment fund for the redevelopment taxes for FY 2022.

**ACTION: 6:59:53 p.m. After discussion and on motion of Commissioner Mobilian, seconded by Commissioner Bell and unanimously carried, the city commission approved the payment as previously cited.**

**(d) Engagement Letter – McDirmit Davis, CPA**

The city commission considered its action to approve the November 11, 2021 engagement letter from McDirmit Davis, Certified Public Accountants.

**ACTION:** 7:02:12 p.m. **On motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the engagement letter as previously cited.**

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

### **PUBLIC HEARING**

**6. (e) First Reading – Ordinance 2022-001 Amending and Restating LDC - CONTINUED**

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING AND RESTATING THE LAND DEVELOPMENT CODE OF THE CITY OF FRUITLAND PARK CONSISTING OF CHAPTERS 150 THROUGH 169, INCLUSIVE; RENAMING ZONING CATEGORIES; ADOPTING A NEW ZONING CODE AND ZONING MAP; RETAINING THE VILLAGES OF FRUITLAND PARK LAND DEVELOPMENT REGULATIONS CONTAINING CHAPTERS 150 THROUGH CHAPTER 167, INCLUSIVE, AND APPENDIX 1 THROUGH 4, INCLUSIVE; PROVIDING FOR CONFLICTS, CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on February 10, 2022)

**ACTION:** 7:03:05 p.m. **On motion of Vice Mayor Gunter, seconded by Commissioner Mobilian and unanimously carried, the city commission continued the approval of Ordinance 2022-001 as previously cited to the March 27, 2022 meeting.**

**(f) First Reading – Ordinance 2022-002 Waste Management Contract**

After Ms. Geraci-Carver read into the record the title of proposed Ordinance 2022-002, the substance of which is as follows, Mayor Cheshire called for the interested parties to be heard: :

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AN EXTENSION OF ITS SOLID WASTE COLLECTION FRANCHISE AGREEMENT WITH WASTE MANAGEMENT, INC. OF FLORIDA; ADOPTING RATES FOR THE PROVISION OF WASTE MANAGEMENT SERVICES TO THE RESIDENTS OF THE CITY OF FRUITLAND PARK; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING

FOR AN EFFECTIVE DATE. (The second reading will be held on January 31, 2022)

Mr. Doug McCoy, Universal Waste Management Inc., addressed the continued services to be provided which will remain unchanged, with the exception of the collection, processing and sale of recyclables, and the purpose of the increased rates.

Following further deliberations on the satisfactory services and in response to Mayor Cheshire's suggestion, Mr. La Venia agreed with Mr. McCoy's intent to provide the change in garbage and recycling collection services to the residents where he recognized the commencement of the contract will start on February 1, 2022; however, he will delay the collection comingle services for March 1, 2022. .

Commissioner DeGrave questioned the cost-effectiveness of the proposed agreement extension and raised concerns on the justification for the substantial increase in fees to be billed without procuring same.

**ACTION:** 7:03:11 p.m. After extensive discussion, **a motion was made by Vice Mayor Gunter and seconded by Commissioner Mobilian that the city commission approve Ordinance 2022-002 as previously cited.**

Mr. Dominic Bowers, Trash Kings, gave reasons why he supported Commissioner DeGrave's previous concerns and addressed the likelihood of reviewing and negotiating the subject agreement with recycling services.

**By unanimous consent, Mayor Cheshire closed the public hearing.**

**Mayor Cheshire called for a roll call vote on the motion with the members voting as follows:**

<b>Vice Mayor Gunter</b>	<b>Yes</b>
<b>Commissioner DeGrave</b>	<b>No</b>
<b>Commissioner Bell</b>	<b>Yes</b>
<b>Commissioner Mobilian</b>	<b>Yes</b>
<b>Mayor Cheshire</b>	<b>Yes</b>

**The motion was declared carried on a four-to-one (4-1) vote.**

**(g) First Reading – Ordinance 2022-003 SRF Loan Program**

After Ms. Geraci-Carver read into the record the title of proposed Ordinance 2022-003, the substance of which is as follows, Mayor Cheshire called for the 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 January 27, 2021)

**ACTION:** 7:36:59 p.m. After further discussion, a motion was made by Commissioner Bell and seconded by Commissioner DeGrave that the city commission approve Ordinance 2022-002 as previously cited.

**By unanimous consent, 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 HEARING

7. (a) **City Manager**

i. **Economic Development Status Update**

Messrs. La Venia and Williams described the forthcoming proposed developments to occur in 2022 as depicted in the projects overview spreadsheet; a copy of which is filed with the supplemental papers to the minutes of this meeting.

**ACTION:** 7:47:02 p.m. No action was taken.

ii. **Public Safety and Public Works Buildings - GatorSkitch - Status Update**

Mr. La Venia addressed the intent to meet with GatorSkitch Corporation, city staff and Lake County Fire Chief James “Jim” Dickerson on January 19, 2022 and present the plan at the next meeting. He referred to the November 24, 2022 AIA Document G801-2017 Notice of Additional Services for the Public Safety Complex a copy of which is filed with the supplemental papers to the minutes of this meeting.

Later in the meeting, Ms. Geraci-Carver cited GatorSkitch’s changes reflected in the notice and made the following comments: (

- . . . *The City Council on October 14, 2021 voted 5 to 0 to the revised scope and budget . . . . . at \$7,360,771. This Facility is a two-story structure constructed using a Tilt Wall System and is approx. 18,649 sq ft.*

Ms. Geraci-Carver pointed out GatorSkтч's proposed additional service showing the price change from \$2,600,000 to \$7,360,771.

- *The owner's anticipated sustainable objective for this project is now ". . . the project will not be a LEED project but the design team will follow sustainable designed practices".*

In reviewing the notice, Ms. Geraci-Carver explained that references pertaining to the LEED project where GatorSkтч indicated that such provision will be removed could not be found.

- *Consultants retained under supplemental services is now "Carlsoon Construction Estimators – for Construction Estimating, Electro Media for A/V, access control cameras and data design, and SPM Consultants for Security Design".*

Ms. Geraci-Carver recognized that such provision was originally blank where GatorSkтч had no intent to implement same and have since added said language.

- *Furniture, furnishings, and equipment for Police Department only is now " provided by the Architect Lake County Fire Department needs to provide full cut sheets and specifications on all equipment to be installed in this facility.*

Ms. Geraci-Carver indicated that such furnishing for the police department was going to be the city's responsibility.

- *For the Architects Basic Services . . . the owner shall compensate the architect as follows:*
  - o *Stipulated Sum is now "598, 857.00and*
  - o *Schedule adjustment: TBD*

Ms. Geraci-Carver indicated that the stipulated sum for GatorSkтч's fee was based on the lower amount of \$2.6 million where at that time it was \$254,980; therefore, the stipulated sum currently for architectural services would be now at \$598,857.

With respect to the provisions relating to the amount on the compensation adjustment and additional services, Ms. Geraci-Carver explained that she does not see any change and suggested that GatorSkтч be questioned on its intent to change based on the August 7, 2020 agreement which could not be identified.

**ACTION:** 7:39:05 p.m. and 7:53:48 p.m. Upon Commissioner DeGrave's suggestion **and based on GatorSkтч Corporation's**

**previously cited additional services notice, the city commission, by unanimous consent, directed the city clerk to provide a verbatim excerpt of the October 14, 2021 city commission proceedings and if no official action was taken in that regard, the city commission requested that the city attorney submit the notice of additional services for city commission consideration.**

**iii. Engineering Services Consultant(s)**

Mr. La Venia gave reasons why -- as a result conversations he had with Mr. Duane K. Booth, Half Associates (consultants retained by the city), and the economic development status report he addressed under Item 7.(a)i. earlier on this evening's agenda -- he is asking that the city commission direct Ms. Geraci-Carver, who concurred in the affirmative, to prepare a request for quotation to procure conflict engineering services and/or a second engineering firm.

**ACTION: 7:40:19 p.m. By unanimous consent, the city commission accepted the city manager's request, as previously cited.**

**(b) City Attorney**

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

Ms. Geraci-Carver stated that she has no updates on the State of Florida, Department of Management Services Division of Retirement case regarding Michael and Laurie Fewless.

**ACTION: 7:53:37 p.m. No action was taken.**

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

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

**ACTION: 7:53:37 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 she has no updates on the Norman C. Cummins v. Stephen P. Angelillo and City of Fruitland Park, Lake County Case No. 2020-CA-1026.

**ACTION: 7:53:37 p.m. No action was taken.**

**8. UNFINISHED BUSINESS**

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

**ACTION: 7:57:59 p.m. No action was taken.**



**9. PUBLIC COMMENTS**

There was no one from the public to come before the city commission at this time.

ACTION: 7:57:60 p.m. No action was taken .

**10. COMMISSIONERS' COMMENTS**

**(a) Commissioner Mobilian – LS~MPO Meeting**

Commissioner Mobilian announced that on February 23, 2022, Lake~Sumter Metropolitan Planning Organization Governing Board will be holding its meeting.

ACTION: 7:58:27 p.m. No action was taken.

**(b) Commissioner DeGrave**

Later in the meeting, Commissioner DeGrave announced that unless his trip is cancelled, he will not be attending the February 10, 2022 regular city commission meeting.

ACTION: 7:58:44 p.m. and 8:13:35 p.m. No action was taken.

**(c) Commissioner Bell**

**i. CR 468**

Commissioner Bell recalled the city commission's previous actions December 12, 2019 (and its position on January 23, 2020) to partner with the City of Leesburg and write a letter of support to the Lake County District Board of County Commissioner on the need to initiate a joint venture project development and environmental study (PD&E) for CR 468 (encompassing Griffin Road, Urick Street, and Martin Luther King Jr. corridors).

Due to the potential impacts in traffic, residential development and a new school, he requested that Mr. La Venia proceed with said concept and initiate same to be included on the Lake~Sumter Metropolitan Planning Organization (LS~MPO)'s list of priority projects.

ACTION: 7:58:47 p.m. After much discussion and **by unanimous consent and upon Commissioner Bell's suggestion, the city commission directed the city manager to write a letter to the City of Leesburg Manager to initiate a partnership effort to conduct a project development and environmental study on CR44 and CR468) and work with Lake County to recommend funding and place same on the Lake~Sumter Metropolitan Planning Organization's priority list of projects.**

**ii. Centennial Committee**

Later in the meeting, Commissioner Bell referred to the text message he received from Ms. Rachel Whetstone, City of Fruitland Park resident, regarding her interest to serve on the Centennial Committee.

ACTION: 8:13:54 : p.m. No action was taken.

**(d) Vice Mayor Gunter, Jr. – Holiday Decorations**

Vice Mayor Gunter addressed the need for additional commercial-grade quality holiday decorations and the removal of the damaged cedar trees outside the front of city hall.

ACTION: 8:04:38 p.m. Upon Vice Mayor Gunter’s suggestion and by **unanimous consent, the city commission directed the parks and recreation and public works staff to conduct research on the type of tree to place in the fountain at the front of city hall and the find commercial-grade-quality holiday decorations around the vicinity of Berckman Street including the CR 466A corridor.**

**11. MAYOR’S COMMENTS**

**(a) Holiday Decorations**

In concurring with Vice Mayor Gunter’s suggestion, Mayor Cheshire addressed the need for staff to review enhancing the holiday decorations.

ACTION: 8:07:01 p.m. No action was taken.

**(b) Economic Developments**

With respect to potential planned unit developments and preliminary plans proposed by developers, Mayor Cheshire addressed the opportunity for the city commission to be able to have a vision and take a position, with Mr. La Venia’s involvement, before making a determination on same.

ACTION: 8:07:56 p.m. No action was taken.

**(c) Dates to Remember**

Mayor Cheshire announced the following events:

- January 14, 2022, Movie on the Lawn *Wizard of Oz*, Recreation Center, 205 W Berckman Street, Fruitland Park, Florida 34731 at 6:00 p.m.;
- January 17, 2022, MLK Jr. Holiday (city hall closed)
- January 21, 2022, Lake County League of Cities Luncheon, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- January 27, 2022, City Commission Regular at 6:00 p.m.;

- February 10, 2022, City Commission Regular at 6:00 p.m.;
- February 11, 2022, Movie on the Lawn *Wizard of Oz* Recreation Center Recreation Center, 205 W Berckman Street, Fruitland Park, Florida 34731 at 6:00 p.m.;
- February 12 – 20 2022, *Love Week*
- February 12, 2022, *5k Love Run*, Recreation Center, 205 W Berckman Street, Fruitland Park, Florida 34731 at 8:00 a.m.;
- February 23, 2022, LS~MPO Governing Board, 1300 Citizens Boulevard, #175, Leesburg, Florida 34748 at 2:00 p.m.;
- February 24, 2022, City Commission Regular at 6:00 p.m.;

ACTION: 8:13:08 p.m. No action was taken.

12. ADJOURNMENT

The meeting adjourned at 8:14 p.m.

The minutes were approved at the January 27, 2022, regular meeting.

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

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

