

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
January 27, 2022**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 27, 2022, at 6:00 p.m.

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

Member Absent: Commissioner John Mobilian

Also Present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver, City Treasurer Jeannine Racine; 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 C. J. Hill, Community United Methodist Church, gave the invocation and Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:00:18 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 the absence of Commissioner Mobilian who will not be attending this evening's meeting due to medical illness.

Mayor Cheshire announced the following agenda changes:

Item 6a Resolution 2022-001
 Addendum, A1A Standard Form of Agreement.

Item 4c Resolution 2022-003
 Laserfiche Quote for \$10,535.

ACTION: 6:01:45 p.m. **By unanimous consent, the city commission excused Commissioner John Mobilian's absence from this evening's meeting and accepted the previously cited changes to this evening's agenda.**

3. SPECIAL PRESENTATION –Water and Wastewater Impact Fee Study

Mr. Byran Mantz, GovRates Inc., gave power-point presentation on the water and wastewater impact fee study. He relayed the recommendations to:

- adopt the proposed water and wastewater impact fees;
- approve adjustments to alternative impact fee calculation policy;
- update impact fees whenever capital plans, costs, or funding change significantly, and
- consider accepting future impact fee adjustments by resolution instead of ordinance.

ACTION: 6:03:54 p.m. After much discussion on the city's equivalent residential unit methodology, **the city commission, by unanimous consent, agreed to proceed with the water and wastewater impact fee study as previously cited.**

4. RECESS TO THE LOCAL PLANNING AGENCY

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

ACTION: 6:30:25 p.m. **By unanimous consent, the city commission recessed its meeting at 6:30 p.m. to the Local Planning Agency and reconvened at 6:34 p.m.**

5. CONSENT AGENDA

Approval of Minutes -

January 13, 2022 regular meeting minutes.

ACTION: 6:34:38 p.m. **Approved.**

6. REGULAR AGENDA

(a) Resolution 2022-001 Public Safety and Public Works Buildings - A1A Change Order – GatorSkitch

Ms. Geraci-Carver read into the record the title of proposed Resolution 2022-004, the substance of which is as follows

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AIA DOCUMENT NOTICE OF ADDITIONAL SERVICES THEREBY AMENDING THE AIA STANDARD FORM OF AGREEMENTS BETWEEN OWNER AND ARCHITECT, GATORSKITCH CORPORATION; AUTHORIZING THE MAYOR TO EXECUTE THE NOTICE OF ADDITIONAL SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

Mr. Mike Latham, GatorSkitch Inc., gave a power-point presentation on the public safety complex (phase 2: schematic design). The AIA Document G801 – 2017 dated November 24, 2021 on additional services was distributed for the record and filed with the supplemental papers to the minutes of this meeting.

After much discussion and later in the meeting, Mr. Latham emphasized reasons why he recommended that the city commission consider procuring the subject project as hard bid guaranteed maximum price contract construction management

at risk and suggested that Mr. La Venia communicate with Lake County Interim Manager Jennifer Barker regarding the utilization of the county's American Rescue Plan Act funds.

ACTION: 6:34:49 p.m. and 6:58:30 p.m. A motion was made by **Commissioner DeGrave and seconded by Commissioner Bell that the city commission adopt Resolution 2022-001 as previously cited with the AIA Document G801 - 2017, Public Safety Building (Change Order 1).**

Further, the city commission, by unanimous consent directed the city attorney, to review the provisions for additional services and the scope from the August 7, 2020 AIA Document B101 – 2017 Standard Form of Agreement and the November 24, 2021 document who agreed to report back to the city commission if there are any changes.

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

(b) Resolution 2022-002 Surplus Personal Property

Ms. Geraci-Carver read into the record the title of proposed Resolution 2022-002, the substance of which is as follows

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, DECLARING CERTAIN PERSONAL PROPERTY AS SURPLUS; PROVIDING FOR AUTHORIZATION FOR DONATION OF SAID PERSONAL PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 7:02.42 p.m. After discussion, a motion was made by **Vice Mayor Gunter and seconded by Commissioner DeGrave that the city commission adopt Resolution 2022-002 as previously cited.**

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

(c) Resolution 2022-003 - Laserfiche Avante (Expansion) Upgrade Addendum 1 – Master Services Agreement – MCCi

Ms. Geraci-Carver read into the record the title of proposed Resolution 2022-003, the substance of which is as follows

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING ADDENDUM NO. 1 TO MASTER SERVICES AGREEMENT NO. 19831 BETWEEN MCCi LLC AND CITY OF FRUITLAND PARK, FLORIDA IN THE AMOUNT OF \$10,535.00 ANNUALLY AND ONE TIME FEES IN THE AMOUNT OF \$41,125.00;

AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; PROVIDING FOR AN EFFECTIVE DATE.

Mr. La Venia outlined MCCi's Laserfiche Avante Expansion Services; recommended proceeding to the cloud system for \$10,730.76.

ACTION: 7:05:09 p.m. **By unanimous consent, the city commission agreed with Commissioner DeGrave's suggestion to direct staff to communicate with Mr. Matt Daugherty, SML Inc. (consultant retained by the city), to explore the option to transition the city's electronic recordkeeping systems (including the State of Florida Department of Law Enforcement records) to the cloud.**

After discussion, a motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission adopt Resolution 2022-003 as previously cited with the annual amount of \$10,730.76.

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

(d) Resolution 2022-005 Special ADA American Sign Language Services Inc. Contract Renewal

Ms. Geraci-Carver read into the record the title of proposed Resolution 2022-005, the substance of which is as follows

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING ON-SITE INTERPRETING AND VIDEO REMOTE INTERPRETING AGREEMENT PREPARED FOR THE CITY OF FRUITLAND PARK BY AMERICAN SIGN LANGUAGE SERVICES, INC.; PROVIDING FOR RATES FOR SERVICES; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 7:15:17 p.m. After discussion, a motion was made by Vice-Mayor Gunter and seconded by Commissioner DeGrave that the city commission adopt Resolution 2022-005 as previously cited.

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

(e) Resolution 2022-004 Opioid Settlement Funds – Lake County ILA

Ms. Geraci-Carver read into the record the title of proposed Resolution 2022-004, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA; APPROVING THE

INTERLOCAL AGREEMENT FOR USE OF LAKE COUNTY REGIONAL OPIOID SETTLEMENT FUNDS; AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 7:16:45 p.m. A motion was made by Commissioner Bell and seconded by Commissioner DeGrave that the city commission adopt Resolution 2022-004 as previously cited.

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

QUASI-JUDICIAL PUBLIC HEARING

- (f) **First Reading and Quasi-Judicial Public Hearing – Ordinance 2022-001 LDRs**
After Ms. Geraci-Carver read into the record the title of proposed Ordinance 2022-001, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

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: 7:17:48 p.m. A motion by Commissioner DeGrave and Vice-Mayor Gunter that the city commission approve the Local Planning Agency's recommendation of approval of Ordinance 2022-001 Land Development Regulations as previously cited.

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

END OF QUASI-JUDICIAL PUBLIC HEARING

7. (a) **City Manager**

i. **Economic Development Status Update**

Mr. La Venia recalled the comprehensive economic development status report together with the planned unit development map addressed at the January 13, 2022 regular meeting.

ACTION: 7:19:46 p.m. No action was taken.

ii. **Independent Special Fire Control and Rescue District Status Update**

Mr. La Venia referred to his recent meeting with Mr. Kenneth “Kenney” Blocker, The Villages Community Development District Manager, regarding the independent special fire control and rescue district as it relates to The Villages of Pine Ridge and Pine Hills (Fruitland Park).

Mr. La Venia confirmed that there are no changes relating to the fire services assessment program (The Villages Benefit Area); outlined the consequences if calculations on same are received untimely by Ms. Racine and Government Services Group, consultants retained by the city, and relayed Mr. Blocker’s acceptance to his request that he would submit the actual costs by June 2022.

Mr. La Venia recognized the process to fund The Villages Independent Fire Control and Rescue District Services -- Administration and Capital with a mix of Ad Valorem and Non-Ad Valorem Property Assessments -- to be placed on the ballot before 2023 to approved by the electors and if passed, to be implemented FY 2023-24. In acknowledging Lake County’s ongoing negotiations regarding its emergency medical services, he stated that he could not provide any more details on same.

ACTION: 7:20:02 p.m. No action was taken.

iii. **Kommander Software Saas – Off-Duty Detail Management Proposal-Agreement**

At Mr. La Venia’s request, Chief Luce referred to and described the Software-As-a Service Agreement with Detail Kommander Software LLC who would develop, manage and provide off-duty detail management assignments to the police department. (A copy of said agreement was distributed for the record and filed with the supplemental papers to the minutes of this meeting.)

Later in the meeting, Chief Luce gave a statistical report on the number of law enforcement officers retained by outside vendors to staff their events during 2021; gave reasons why he predicted such pattern would increase in the future due to current conditions and acknowledged the presence of Mr. “Bill” Kicklighter, Detail Kommander Software LLC’s CEO, at this evening’s meeting. Chief Luce described the utilization of the software

program, at no cost to the city and the issuance of IRS 1099-MISC Form to the officers at the end of the year; noted that Ms. Geraci-Carver has reviewed the subject agreement with suggestive changes and identified the number of Lake County law enforcement agencies including those nationwide who already use the program.

Following much discussion, Chief Luce voiced concerns to Commissioner DeGrave's observations that the city utilizes its law enforcement officers on a rotating or voluntarily basis with time-and-a-half and ancillary costs; recover compensation directly without third-party involvement, and utilize the software program; otherwise, Lake County Sheriff's Office ought to take over same.

ACTION: 7:23:10 p.m. and 7:24:30 p.m. After further discussion and by unanimous consent, the city commission agreed with Commissioner DeGrave's suggestion to postpone consideration of the Kommander Software Saas – Off-Duty Detail Management Proposal-Agreement; direct the city manager to contact Public Risk Management of Florida (insurance company retained by the city) and provide more information under the previously cited scenario.

iv: Safety Committee

Mr. La Venia requested the city commission approve formalizing a safety committee required by the city's insurance company; suggested that the members include the police chief, public works director, and the community development director and himself, and recommended that Ms. Geraci-Carver draft a resolution for the city commission's consideration at a future meeting.

ACTION: 7:23:43 p.m. By unanimous consent, the city commission accepted the city manager's recommendation as previously cited.

(b) City Attorney

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

Ms. Geraci-Carver referred to the initial brief, if the city commission desires to appeal the decision on the State of Florida Department of Management Services case which is due by February 24, 2022; recalled discussions to hold another closed-session meeting for direction prior to the deadline and questioned scheduling same as she would like to make an announcement, if that is the intent, at the next meeting.

ACTION: 7:32:10 p.m. By unanimous consent, the city commission agreed to hold an attorney-client-closed session meeting on the State of Florida Department of Management Services Division of Retirement Case 20-0644 regarding Michael Fewless. (The city attorney addressed

her intent to prepare the public notice for the meeting to be held prior to February 24, 2022.)

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: 7:32:10 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 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: 7:32:54 p.m. No action was taken.

8. UNFINISHED BUSINESS

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

ACTION: 7:32:59 p.m. No action was taken.

9. PUBLIC COMMENTS

(Brother) Steven Gerard, also resident of Lorain, Ohio, advocate for pro-life; referred to the bible bookmark and flyer in that regard and the proposition to include same in municipal charters. (A copy of the flyer is filed with the supplemental papers to the minutes of this meeting.)

Mr. Vance Jochim, Lake County resident and owner of Fiscal Rangers,.com, referred to the Lake County School Concurrency Service Areas Map which reflected increased residential development projects; the review of school capacity and the ability to handle new students generated by development. Recognizing the annexation of rural areas occurring around the county, he voiced concerns on the need to conduct a traffic study and pointed out the February 7, 2022 Joint Planning Work Group Meeting with Municipalities hosted by the Lake County Board of County Commissioners

In response, Mayor Cheshire explained that the city commission is currently reviewing the planned development and environmental study with the county.

Mr. Richard Dickerson, City of Fruitland Park resident, voiced concerns on the problems he is experiencing with feral cats and speeding on Fountain Street. He mentioned, in response to Mayor Cheshire's reference that animal control is under the jurisdiction of the county's (office of animal services), the lack of action taken by the county in that regard.

Later in the meeting, Mayor Cheshire suggested that Mr. Dickerson make a complaint to Lake County District 5 Commissioner Joshua “Josh” Blake.

ACTION: 7:33:02 p.m. and 7:43:27 p.m. No action was taken.

10. COMMISSIONERS’ COMMENTS

(a) Commissioner Mobilian

Commissioner Mobilian was absent at this evening’s meeting.

ACTION: 7:41:27 p.m. No action was taken.

(b) Commissioner DeGrave

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

ACTION: 7:41:29 p.m. No action was taken.

(c) Commissioner Bell -CR 468

In response to Commissioner Bell’s inquiry and based on the comments made earlier in this evening’s meeting regarding the traffic study, Mr. La Venia addressed the intent to send a letter to Chairman Sean Parks, Lake County Board of County Commissioner, on the pursuit of a Project Development and Environmental Study on CR 468 due to the proposed developments and growth in the area to accommodate the potential increase in traffic between the Cities of Fruitland Park and Leesburg and relayed Chairman Park’s promise to get back in touch with him in a week.

ACTION: 7:41:35 p.m. No action was taken.

(d) Vice Mayor Gunter, Jr.

Vice Mayor Gunter had nothing to report at this time.

ACTION: 7:43:18 p.m. No action was taken.

11. MAYOR’S COMMENTS

Dates to Remember

Mayor Cheshire announced the following events:

- January 31, 2022, City Commission Special meeting at 6:00 p.m.;
- February 6, 2022, Lake County’s Population Explosion, Part 2 Tri-City Branch NAACP Online Forum at 6:30 p.m.;
- February 10, 2022, City Commission Regular at 6:00 p.m.;
- February 11, 2022, Movie on the Lawn TBD, Recreation Center Recreation Center, 205 W Berckman Street, Fruitland Park, Florida 34731 at 6:00 p.m.;
- February 11, 2022, Lake County League of Cities (LCLC), TBD, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.

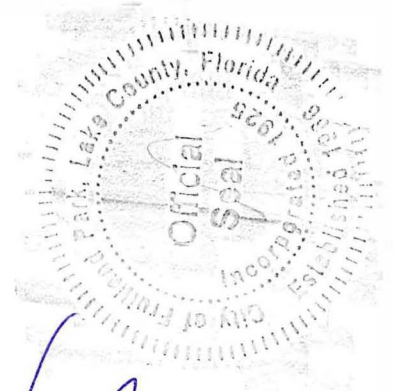
- February 12 – 20, 2022, *Love Week*
- February 12, 2022, *5k Love Run*, Recreation Center, 205 W Berckman Street, Fruitland Park, Florida 34731 at 8:00 a.m.;
- February 14, 2022, Lake County Parks, Recreation and Trails Advisory Board, Office of Parks and Trails Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;
- February 23, 2022, Lake-Sumter Metropolitan Planning Organization Governing Board, 1300 Citizens Boulevard, #175, Leesburg, Florida 34748 at 2:00 p.m.;
- February 24, 2022, City Commission Regular meeting at 6:00 p.m.;

ACTION: 7:43:29 p.m. No action was taken.


12. ADJOURNMENT

The meeting adjourned at 7:44: p.m.

The minutes were approved at the February 10, 2022, regular meeting.



Signed



Esther B. Coulson, City Clerk, MMC

Signed



Chris Cheshire, Mayor