

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
February 10, 2022**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, February 10, 2022, at 6:00 p.m.

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

Member Absent: Commissioner Patrick DeGrave

Also Present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver, City Treasurer Jeannine Racine; Lieutenant Henry Rains, Police Department; Community Development Director Dwyane Williams; Public Works Director Robb Dicus; Parks and Recreation Director Michelle Yoder; 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 Michael Hux, Heritage Community Church, gave the invocation and Lieutenant Rains 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 DeGrave who will not be in attendance and declared the decorum for this evening's meeting.

ACTION: 6:00:23 p.m. Upon Mayor Cheshire's recommendation, and **by unanimous consent, the city commission excused Commissioner Patrick DeGrave's absence from this evening's meeting.**

3. PROCLAMATION – MEMORIAM

On behalf of the city commission, Mayor Cheshire read into the record a proclamation proclaiming "*February 10, 2022 as Marian Leaphart Day*" in the City of Fruitland Park and extended deepest condolences to her family and loved ones.

ACTION: 6:04:35 p.m. After Ms. Lina Tindall, Ms. Leaphart's daughter, accepted the proclamation with gratitude, Commissioner Bell honored Ms. Leaphart where he stated that it was a pleasure to have worked with her and that she made the city's life easier.

By unanimous consent, Mayor Cheshire recessed the meeting at 6:08 p.m. until the arrival of the city attorney and reconvened at 6:18 p.m.

Upon Mayor Cheshire's recommendation and by unanimous consent, the city commission accepted the following changes to this evening's agenda:

Item 6g **Second Reading and Quasi-Judicial Public Hearing - Ordinance 2022-001**

Ordinance in the packet should read: *2022-001* and not *2021-001*.

and

Item 8 **Unfinished Business – Resolution 2022-003**

Laserfiche Avante (Expansion) Upgrade Addendum 1 – Master Services Agreement – MCCi to be addressed by the city attorney.

4. COMMUNITY REDEVELOPMENT AGENCY

As soon as practical at 6:15 p.m. recess to the CRA.

ACTION: 6:19:02 p.m. **By unanimous consent, the city commission recessed its meeting at 6:19 p.m. to the Community Redevelopment Agency and reconvened at 6:43 p.m.**

5. CONSENT AGENDA

Approval of Minutes - January 27, 2022

ACTION: 6:42:33 p.m. **On motion of Commissioner Mobilian, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the consent agenda.**

6. REGULAR AGENDA

(a) Storm Debris Collection

The city commission considered its action on Lake County's Interlocal Agreement for collection of storm debris from streets and right-of-way.

ACTION: 6:42:55 p.m. **After Mr. La Venia gave a background on the storm debris collection, and on motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission accepted the city manager's recommendation to send in writing to Lake County, the city's agreement to deny utilization of Lake County's services for debris removal from streets and right-of-way as outlined in the subject interlocal agreement.**

(b) ITB 2021-03 Mirror Lake Baffle Box

The city commission considered its action on the Invitation to Bid 2021-03 Mirror Lake Baffle Box proposal.

ACTION: 6:45:39 p.m. **After further discussion, and on motion of Vice Mayor Gutner, seconded by Commissioner Mobilian and unanimously carried, the city commission accepted staff's recommendation and awarded the above-captioned bid to Utility Technicians Inc. as a sole-source, low**

responsive and responsible bidder for the installation of a stormwater baffle box in the rights-of-way of Mirror Lake Drive and adjacent area for \$239,650.

(c) ITB 2021-04 Urick Street Force Main Extension

The city commission considered its action on the Invitation to Bid 2021-04 Urick Street Force Main Extension proposal.

ACTION: 6:48:25 p.m. After much discussion, and on motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission accepted staff's recommendation to postpone the above-captioned bid to the next meeting for further information.

(d) Resolution 2022-008 – Community Center – FY 2021-22 Budget Amendment

Ms. Geraci-Carver read into the record the following title of proposed Resolution 2022-008

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2021/2022 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE COMMUNITY CENTER BUDGET AND DECREASE THE MUNICIPAL COMPLEX BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

Mr. Carl Yauk, Villages of Pine Hills (Fruitland Park) resident, questioned the original plans, the total costs and expenditures on the remodeling of the community center.

ACTION: 6:58:07 p.m. After discussion, a motion was made by Vice Mayor Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2022-008 as previously cited.

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

(e) Chandelier Installation Quotes - Community Center

The city commission considered its action to approve the following quotes for eight chandeliers already purchased to be installed at the community center:

- Electrical Works - \$11,680.00
- Marathon Electric - \$9,600.

ACTION: 7:02:31 p.m. On motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission accepted the Community Redevelopment Agency's recommendation to

approve Marathon Electric's quote for \$9,600 as the lowest, responsive responsible bidder to install eight chandeliers at the community center.

(f) Millings and Curbing Quote- Gardenia Park Parking Area at the Recreation Complex

The city commission considered its action on the Bay-to-Bay Construction's quote to install new concrete curbing and millings at Gardenia Park's parking area at the recreation complex.

ACTION: 7:03:02 p.m. After Mr. La Venia gave a background overview on the subject item, a motion was made by Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission accepted staff's recommendation to approve the millings and curbing quote from Bay-to-Bay Construction as the sole responsive and responsible bidder for \$64,400.

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

QUASI-JUDICIAL PUBLIC HEARING

(g) Second Reading and Quasi-Judicial Public Hearing – Ordinance 2022-001 LDRs

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2022-001, Ms. Geraci-Carver read into the record the following title and 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 first reading was held on January 27, 2022.)

ACTION: 7:06:24 p.m. A motion was made by Commissioner Bell and seconded by Commissioner Mobilian that the city commission enact Ordinance 2022-001 to become effective immediately as provided by law.

(Brother) Steven Gerard, City of Leesburg and resident of Lorain, Ohio, questioned the possibility of including Citizen Overlay Zones.

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 QUASI-JUDICIAL PUBLIC HEARING

7. (a) **City Manager - Economic Development Status Update**

- **PD&E Study**

Mr. La Venia pointed out to his recent discussions with the City of Leesburg Manager A Minner and referred to the February 9, 2022 letter to the Lake County Board of County Commissioners regarding the Planned Development and Engineering Study for CR 468; a copy of which is filed with the supplemental papers to the minutes of this meeting.

- **Water and Wastewater Impact Fee Study**

Mr. La Venia pointed out the written notification received earlier this day from Mr. Dicus regarding calculations on the equivalent residential unit and provisions under subsection 159.070, rates and charges and billing procedures under the land development regulations; a copy of which is filed with the supplemental papers to the minutes of this meeting.

- **CUP**

Mr. La Venia addressed his plan to invite Ms. Jennifer “Jen” C. Bolling, Jacobs – Boling Engineering LLC (consultant retained by the city), to address the Consumptive Use Permit as it relates to water for the City of Fruitland Park’s (historical section) . He pointed out St. John’s River Water Management District’s agreement on its proposed increased rates.

- **Public Works Building Status Update Report**

With respect to the public works building construction, Mr. La Venia pointed out the recent site visit by Mr. Mike Latham, GatorSkitch Inc., and conveyed Mr. Dicus’ intent to conduct more tests on the inadequate volume of water pressure before utilizing booster pumps to increase connection lines at Spring Lake Road and Cook Street. Mr. La Venia referred to previous conversations he had with Ms. Katie Taff, Liberty Partners of Tallahassee Inc. (grant writer retained by the city); pointed out her February 9, 2022 email on the feasibility of pursuing the Florida Department

of Environmental Protection Alternate Water Supply Grant Funding; and cited reasons on the importance of implementing water connections and infrastructure funding needs due to proposed developments. (A copy of the grant in question is filed under the supplemental papers to the minutes of this meeting.)

ACTION: 7:08:29 p.m. No action was taken.

(b) City Attorney

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

With respect to the State of Florida Department of Management Services' case, Ms. Geraci-Carver announced the closed-session scheduled for February 15, 2022 at 6:00 p.m. to discuss settlement and litigation costs in the city commission chambers and then move to the conference room. She described the individuals who are expected to be in attendance.

ACTION: 7:17:47 p.m. No action was taken.

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

Regarding the Michael and Laurie Fewless case, Ms. Geraci-Carver announced the closed-session scheduled for February 15, 2022 at 6:00 p.m. to discuss settlement and litigation costs in the city commission chambers and then move to the conference room. She described the individuals who are expected to be in attendance.

ACTION: 7:17:47 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 had nothing to report on the Norman C. Cummins v. Stephen P. Angelillo case.

ACTION: 7:17:47 p.m. No action was taken.

8. UNFINISHED BUSINESS - Resolution 2022-003 - Laserfiche Avante (Expansion) Upgrade Addendum 1 – Master Services Agreement – MCCi

Ms. Geraci-Carver referred to the January 27, 2022 adopted Resolution 2022-003 regarding the Laserfiche Avante (Expansion) for \$10,730.76 and reported that said resolution was revised to reflect \$10,535 which will be subsequently executed by Mayor Cheshire.

ACTION: 7:18:54 p.m. No action was taken.

9. PUBLIC COMMENTS

Mr. Yauk referred to and questioned the illegal immigrant's provisions in contractual projects.

Ms. Lyssandra M. Silver, Glen of Fruitland Park Homeowners Association (HOA), voiced concerns on Fruitland Park Police Department maintaining compliance on sidewalk blocking (despite the HOA's efforts to enforce same); recognized the motorists' lack of adherence to the posted speed of 15 miles per hour, and addressed the need for roadway maintenance as there are potholes in the area.

At Mayor Cheshire's request, Mr. Dicus recognized Lake County's responsibility to maintain Myrtle Lake Avenue roadway; addressed his plan to review the roadway conditions of Calcar Cove, and requested that he be provided with a list of potholes within The Glen.

At Lieutenant Rains' request, Ms. Silver voiced her acceptance to meet with Police Chief Erik Luce and Lieutenant Rains to address law enforcement issues at The Glen's HOA meeting to be held on Tuesday, February 22, 2022 at 6:30 p.m. at Trinity Assembly of God at 200 Urick Street, Fruitland Park, Florida.

Brother Gerard Sidlovsky addressed the possibility of personhood cities as it is known as *the friendly city*; questioned whether the City of Fruitland Park could be known as *the friendly personhood city* and commented on the new approvals of the city's charter review and the marketing of its overlay zone. He provided the pro-life citizen overlay handout; a copy of which is filed with the supplemental papers to the minutes of this meeting.

ACTION: 7:19:37 p.m. No action was taken.

10. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

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

ACTION: 7:30:05 p.m. No action was taken.

(b) Commissioner DeGrave

Commissioner DeGrave was absent from this evening's meeting.

ACTION: 7:30:07 p.m. No action was taken.

(c) Commissioner Bell

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

ACTION: 7:30:11 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: 7:30:14 p.m. No action was taken.

11. MAYOR'S COMMENTS – Dates to Remember

Mayor Cheshire made the following announcements:

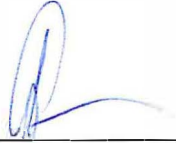
- February 11, 2022, Lake County League of Cities (LCLC), *Lake County Parks and Trails Master Plans*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at noon;
- February 11, 2022, *My Girl* Movie Night, Recreation Center Recreation Center, 205 W Berckman Street, Fruitland Park, Florida 34731 at 6:00 p.m.;
- February 12 – 20, 2022, *Love Week* (visit the city's website: <https://www.fruitlandpark.org/community/page/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 and Trails, Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;
- February 15, 2022, City Commission Attorney-Client Session at 6:00 p.m.;
- February 18, 2022, Comedy Night, Recreation Center Recreation Center, 205 W Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- February 23, 2022, Lake~Sumter Metropolitan Planning Organization (LS~MPO) Governing Board, 1300 Citizens Boulevard, #175, Leesburg, Florida 34748 at 2:00 p.m., and
- February 24, 2022, City Commission Regular at 6:00 p.m.;

ACTION: 7:30:19 p.m.

12. ADJOURNMENT

The meeting adjourned at 7:31 p.m.

The minutes were approved at the February 24, 2022, regular meeting.

Signed 

Esther B. Coulson, City Clerk, MMC

Signed 

Chris Cheshire, Mayor

