

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
May 26, 2022**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, May 26, 2022 at 6:00 p.m.

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

Also present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver, City Treasurer Jeannine Racine, Police Chief Erik Luce, Captain Henry Rains, Lieutenant Timothy “Tim” Ross, Senior Officer Jeremiah Ricketts, Officers Anthony Buehler, Natasha Wildeman-Stuart, and David Hoover, Robb Dicus, Public Works Director, and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order, Pastor Jim Keegan, New Life Church, gave the invocation and Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:01.33 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 following changes to this evening’s agenda:

4.(c) Resolution 2022-022 SRO Program

To include addendum, School Resource Officer Program (Summer 2022) Agreement.

4.(d) Resolution 2022-023 FDOT Highway Maintenance

To delete the following title.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE CONTRACT RENEWAL OF THE FLORIDA DEPARTMENT OF TRANSPORTATION HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT CONTRACT #ASB92, BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF FRUITLAND PARK FOR THE MAINTENANCE OF STATE ROAD RIGHTS-OF-WAY BY THE CITY; EXTENDING THE AGREEMENT FOR A PERIOD OF THREE YEARS; ACCEPTING \$33,057.00 ANNUALLY AS PAYMENT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

and replace it with the following title

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE FLORIDA DEPARTMENT OF TRANSPORTATION HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT CONTRACT #ASS32, BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF FRUITLAND PARK FOR THE MAINTENANCE OF STATE ROAD RIGHTS-OF-WAY BY THE CITY; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; REPEALING RESOLUTION 2022-009; PROVIDING FOR AN EFFECTIVE DATE.

5.(a)i Resolution 2022-019 Consignment Agreement

Should read *Resolution 2022-025* and include the addendum with the language change.

5.(a)ii Resolution 2022-025 Open-End Equity Lease

Supplemental Agenda Item is incorporated in the agenda together with addendum, Sourcewell Contract.

ACTION 6:01:59 p.m. Upon Mayor Cheshire's recommendation, and by **unanimous consent, the city commission accepted the above-captioned changes to this evening's agenda.**

3. SPECIAL PRESENTATION

(a) Police Department Special Recognitions

Chief Luce gave a background overview of accomplishments on the following police department officers:

- "Lake County Florida's Law Enforcement Officer of the Year – Above Self Award" to Officer David Hoover selected by the Rotary Club of Leesburg.
- 2021 Fruitland Park Police Officer of the Year Award to Senior Officer Jeremiah Ricketts, and
- Promotion of Henry Rains from lieutenant to captain.

ACTION:: 6:02:56 p.m. The officers expressed their heartfelt gratitude to the city commission and staff.

(b) Hawthorn's at Fruitland Park Presentation

Mr. Jimmy Gooding, attorney, who gave his background, recognized the presence of Messrs. Jose Kreutz, Luxury Leased Homes, Clint Knox and Robert Hamilton from Sparrow Partners/WELLTOWER, at this evening's meeting who gave a power-point presentation on the redevelopment of the former Burke's Bar-BQ and Central Florida Nursery located at 305 CR 466A.

ACTION:: 6:20:06 p.m. No action was taken.

4. CONSENT AGENDA

The city commission considered its action to approve the following consent agenda items with the changes cited by Mayor Cheshire earlier at this evening's meeting:

**(a) Approval of Minutes
April 28, 2022 regular**

**(b) Resolution 2022-021 Stormwater Grant Program Agreement Amendment –
Mirror Lake Nutrient Separation Baffle Box - LCWA**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE AMENDMENT TO AGREEMENT BETWEEN THE LAKE COUNTY WATER AUTHORITY AND CITY OF FRUITLAND PARK THAT AWARDED THE CITY A STORMWATER GRANT IN THE AMOUNT OF \$400,000.00; EXTENDING THE TERM OF AGREEMENT FROM 24 MONTHS TO 30 MONTHS AND REDUCING THE AMOUNT OF THE GRANT TO \$300,000.00 CONSISTENT WITH THE CITY'S COST FOR ENGINEERING AND CONSTRUCTION OF THE MIRROR LAKE NUTRIENT SEPARATION BAFFLE BOX; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT TO AGREEMENT; DIRECTING THE CITY MANAGER TO MEET ALL ADMINISTRATIVE REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE.

(c) Resolution 2022-022 Fruitland Park Elementary School – Lake County School Board Agreement

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE AGREEMENT BETWEEN THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK, FLORIDA FOR SCHOOL RESOURCE OFFICER PROGRAM [2022-2023]; PROVIDING FOR AN EFFECTIVE DATE. (Approving the School Resource Officer Program (Summer 2022) Agreement.)

(d) Resolution 2022-023 Highway Maintenance Notice to Proceed MOA Contract Renewal ASB92 – FDOT

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE FLORIDA DEPARTMENT OF TRANSPORTATION HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT CONTRACT #ASS32, BETWEEN THE FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF FRUITLAND PARK FOR THE MAINTENANCE OF STATE

ROAD RIGHTS-OF-WAY BY THE CITY; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; REPEALING RESOLUTION 2022-009; PROVIDING FOR AN EFFECTIVE DATE. (The new title.)

(e) **Resolution 2022-024 LC CDBG Grant Program – Spring Lake Road Water Line Enhancement Project**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT APPLICATION TO THE LAKE COUNTY CDBG PROGRAM FOR THE SPRING LAKE ROAD WATER LINE ENHANCEMENT PROJECT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:54:18 p.m. **On motion of Commissioner Mobilian, seconded by Commissioner Bell and unanimously carried, the city commission approved the above-captioned consent agenda with the changes as previously cited.**

5. **REGULAR AGENDA**

(a) i. **Resolution 2022-025 Master Equity Lease Agreement – Enterprise Lease Management**

Ms. Geraci-Carver read into the record Resolution 2022-025, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE CONSIGNMENT AGREEMENT BETWEEN ENTERPRISE FLEET MANAGEMENT, INC. AND CITY OF FRUITLAND PARK, FLORIDA FOR ENTERPRISE TO SELL CITY VEHICLES AT WHOLESALE AS REQUESTED BY THE CITY; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the April 28, 2022 regular meeting.)

With reference to the consignment agreement, Ms. Geraci-Caver acknowledged the resolution of the indemnity language addressed at the April 28, 2022 regular meeting, to Enterprises' satisfaction which would provide the mechanism to dispose city vehicles.

In response to a question posed by Mayor Cheshire, Ms. Yvonne A. Spica, Enterprise Fleet Management Inc., explained that the service fee under Section 4, Terms and Conditions of Enterprise Fleet Management Consignment Agreement will be \$395.

ACTION: 6:54:54 p.m. A motion was made by Commissioner Mobilian and seconded by Vice Mayor Gunter that the city commission adopt Resolution 2022-025 as previously cited approving the Consignment Agreement.

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

ii. Resolution 2022-019 2022 Chevrolet Silverado 1500 – Open-End Equity Lease – Enterprise Lease Management Trust

The city commission considered its action to adopt Resolution 2022-019, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING EXPENDITURE OF \$35,649.20 TO ENTERPRISE FOR LEASE OF 2022 CHEVROLET SILVERADO 1500 LTD WORK TRUCK AS MORE PARTICULARLY DESCRIBED IN QUOTE NO. 6296031, OPEN-END (EQUITY) LEASE RATE QUOTE; APPROVING MASTER EQUITY LEASE AGREEMENT AND AMENDMENT TO MASTER EQUITY LEASE AGREEMENT BETWEEN ENTERPRISE FM TRUST AND THE CITY OF FRUITLAND PARK; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the April 28, 2022 regular meeting.)

As a result of the quote for one vehicle for one price, Ms. Geraci-Carver relayed previous discussions held with Enterprise to execute the respective documents reflecting same to indicate four vehicles; conveyed Mr. Dicus' confirmation for same, and recommended that the city commission consider the following Resolution 2022-019, the title of which she read into the record:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING EXPENDITURE OF \$35,649.20 PER VEHICLE TO ENTERPRISE FOR A LEASE OF FOUR 2022 CHEVROLET SILVERADO 1500 LTD WORK TRUCKS AS MORE PARTICULARLY DESCRIBED IN QUOTE NO. 6296031, OPEN-END (EQUITY) LEASE RATE QUOTE; APPROVING MASTER EQUITY LEASE AGREEMENT AND AMENDMENT TO MASTER EQUITY LEASE AGREEMENT BETWEEN

ENTERPRISE FM TRUST AND THE CITY OF FRUITLAND PARK; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE.

After further discussion, Ms. Geraci-Carver concurred with Mr. Dicus' clarification that the open-end (equity) lease rate quote ought to reflect what the city would pay and agreed with Mr. La Venia's suggestion that the lease value ought to be amended at the next meeting.

ACTION: 6:59:57 p.m. After discussion and on motion of Commissioner DeGrave, seconded by Commissioner Mobilian and unanimously carried, the city commission postponed its action to adopt Resolution 2022-019 with the reflected payment in Enterprise Fleet Management's quote to the June 9, 2022 regular meeting.

(b) Workshops

- **CRA Redevelopment Plan**

Later in the meeting, Mr. Michael "Mike" Rankin, LPG Urban & Regional Planners Inc. (consultant retained by the city), suggested holding two workshops at the city's community center and recommended the first workshop to be on the collaboration of information and the second on the generation of information with direction from the commission. He agreed with Mayor Cheshire's suggestion to work with the city manager and report back to the commission with future dates.

ACTION: 7:08:55 p.m. No action was taken.

- **August 8 and 9, 2022 - FY 2022-23 Proposed Budget**

Mayor Cheshire reviewed the Fiscal Year 2022-23 proposed budget calendar; a copy of which is filed with the supplemental papers to the minutes of this meeting.

ACTION: 7:03:40 p.m. After further discussion and by unanimous consent, the city commission approved the workshop dates of August 8 and 9, 2022 on the proposed Fiscal Year Proposed Budget.

(c) March 2022 Financial Report

Ms. Racine reviewed the March 2022 financial report.

Mr. La Venia suggested the review of purchasing and installing above-ground ConVault storage fuel tanks for emergencies separate from the construction of the proposed public works building.

ACTION: 7:09:57 p.m. After considerable discussion and **on motion of Commissioner DeGrave, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the March 2022 financial report as submitted.**

s6. (a) City Manager - Economic Development Status Update

i. Economic Development Status Update

Mr. La Venia reported on the approval received for the additional State Revolving Fund program funds for the Urick Street Force Main Extension on May 25, 2022 (Florida Department of Environmental Protection's FY 2022 Clean Water State Revolving Fund Priority List Adoption Meeting); he addressed the plans for the preconstruction meeting for the Mirror Lake Nutrient Separation Baffle Box with the six-month extension, and gave a status of the metal building waste water treatment plant bid specifications that are underway.

ACTION: 7:19:53 p.m. No action was taken.

ii. FCCMA Conference

Later in the meeting, Mr. La Venia announced that he will be attending the Florida City and County Management Association Conference in Orlando from June 1 to 3, 2022.

ACTION: 7:29:45 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 (DMS) case, Ms. Geraci-Carver conveyed information received from Preferred Governmental Claim Solutions Claim Services (insurance company retained by the city) who is seeking clarification as they disagree with the amount owed of \$640,089.89 (which includes the delinquency) to the Florida Retirement System.

ACTION: 7:22:37 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 advised that mediation has been scheduled at the Lake County Court on July 18, 2022 at 10:00 a.m. and addressed the need for the DMS case under item 6.(b)i. to be resolved.

ACTION: 7:24:23 p.m. No action was taken.

iii. **Norman C. Cummins v. Stephen P. Angelillo and the City of Fruitland Park, Lake County Case No. 2020-CA-1026.**

Relating to the Norman C. Cummins v. Stephen P. Angelillo case, Ms. Geraci-Carver referred to the Notice of Lis Pendens Summons served on May 23, 2022 from US Bank National Association and Robert Moore et. al, City of Fruitland Park, and unknown tenants regarding the property at 412 Sunny Court and pointed out the February 18, 2021 Order of Enforcement Lien on said property; copies of which are filed with the supplemental papers to the minutes of this meeting.

Ms. Geraci-Carver explained that said summons was forwarded on to the insurance company who would proceed on filing an answer on behalf of the city.

ACTION: 7:24:22 p.m. No action was taken.

7. **UNFINISHED BUSINESS – Municode Codification Status Update**

Earlier in the meeting, and at Commissioner DeGrave's request, Ms. Coulson explained that she was informed by Mr. Rankin, earlier this day, that the final copy of the land development code adopted at the January 27, 2022 meeting is still being worked on before it is submitted to Municode for codification and that she is still waiting to receive follow-up from Ms. Geraci-Carver regarding the city's code.

ACTION: 7:03:02 p.m. Upon Commissioner DeGrave's suggestion and **by unanimous consent, the city commission agreed for a report on Municode Codification be placed on the June 23, 2022 regular agenda.**

8. **PUBLIC COMMENTS**

There was no one from the public at this time.

ACTION: 7:25:00 p.m. No action was taken.

9. **COMMISSIONERS' COMMENTS**

(a) **Commissioner Mobilian**

Commissioner Mobilian stated he had nothing to report at this time.

ACTION: 7:25:20 p.m. No action was taken.

(b) **Commissioner DeGrave**

Commissioner DeGrave stated he had nothing to report at this time.

ACTION: 7:25:22 p.m. No action was taken.

(c) **Commissioner Bell – Mommy and Son Mess Event**

After Commissioner Bell shared the recent favorable reviews of the May 21, 2022 *Mommy and Son Mess*, Mr. La Venia announced the future events that are scheduled.

ACTION: 7:25:24 p.m. No action was taken.

(d) **Vice Mayor Gunter, Jr.**

Vice Mayor Gunter stated that he will not be in attendance at the next meeting.

ACTION: 7:28:21 p.m. No action was taken.

10. **MAYOR'S COMENTS**

Dates to Remember

Mayor Cheshire referred to the following events:

- May 30, 2022, Memorial Day - City Hall Closed
- May 30, 2022, American Legion Post John Gella Memorial Unit 219 *Memorial Day Services* – Shiloh Cemetery, Shiloh Street, Fruitland Park, Florida, 34731 at 10:00 am
- June 3, 2022, Cornhole Tournament Gardenia Park, West Berckman Street, Fruitland Park Florida 34731 at 7:00 p.m.;
- June 9, 2022, City Commission regular meeting at 6:00 p.m.
- June 10, 2022, Lake County League of Cities Lake County Property Appraiser, *Lake County Preliminary Tax Roll*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- June 10, 2022 Movie Night, Community Center, 205 West Berckman Street, Fruitland Park Florida 34731 at 6:00 p.m.;
- June 17, 2022, Comedy Night, Community Center, 205 West Berckman Street, Fruitland Park Florida 34731 at 8:00 p.m.;
- June 22, 2022, Lake~Sumter Metropolitan Planning Organization, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida 34748 at 2:00 p.m.
- June 23, 2022, City Commission regular meeting at 6:00 p.m.
- June 25, 2022, Soap Box Derby Race at 10:00 a.m.

ACTION 7:28:46 p.m. No action was taken.

11. **ADJOURNMENT**

The meeting adjourned at 7:31 p.m.

The minutes were approved at the June 9, 2022 regular meeting.

Signed 
Esther B. Coulson, City Clerk, MMC

Signed 
Chris Cheshire, Mayor

