

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
June 23, 2022**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, June 23, 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, City Treasurer Jeannine Racine, Police Chief Erik Luce, Robb Dicus, Public Works Director, :Lake County Fire Rescue Lieutenant Christopher “Chris” Albert and Firefighter Emergency Medical Technician Esther Hazell; Deputy City Clerk Candice Davis; District 2 Candidate Jan Collins, and City Clerk Esther B. Coulson.

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

After Mayor Cheshire called the meeting to order, Chief Luce gave the invocation and Vice Mayor Gunter led in the pledge of allegiance to the flag.

ACTION: 6:00.30 p.m. No action was taken.

2. ROLL CALL

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

ACTION 6:01:08 p.m. No action was taken.

3. CONSENT AGENDA

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

(a) Approval of Minutes - June 9, 2022 regular

(b) Resolution 2022-029 Provision of Library Services Am. ILA

A RESOLUTION OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, APPROVING AMENDMENT TO AGREEMENT RELATING TO PROVISION OF LIBRARY SERVICES; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:01.22 p.m. **On motion made by Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the consent agenda as previously cited.**

4. REGULAR AGENDA - Resolution 2022-028 Preliminary Fire Assessment Rate GSG Government

Ms. Geraci-Carver read into the record proposed Resolution 2022-028, the substance of which is as follows:

A RESOLUTION OF THE CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE PROVISION OF FIRE SERVICES WITHIN THE VILLAGES OF FRUITLAND PARK BENEFIT AREA IN THE CITY OF FRUITLAND PARK; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ACTION: 6:01:36 p.m. After discussion, a **motion was made by Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2022-028 as previously cited.**

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

5. (a) City Manager

i. Economic Development - Lake Economic Area Development LEAD Partnership Budget Request

Mr. La Venia referred to a recent Lake Economic Area Development Board of Directors' memorandum regarding the initiative to consider its budgetary request committing to a financial contribution and mentioned his intent to address same at the forthcoming city commission workshop. (A copy of the memorandum is filed with the supplemental papers to the minutes of this meeting.)

ACTION: 6:04:06 p.m. No action was taken.

ii. Roads and Streets Status Update

Messrs. La Venia and Dicus reviewed the list of roads (their ratings, present conditions and costs) to be paved for FY 2022-23 together with the proposal from Paquette Company to be considered at a future meeting. Copies of the respective documents are filed with the supplemental papers to the minutes of this meeting.

ACTION: 6:10:28 p.m. No action was taken.

- iii. **Auction Services George Gideon Auctioneers Piggyback Discussion**
Mr. La Venia addressed the plan to continue to utilize George Gideon Auctioneers (piggyback contract with Osceola County School District) to auction three police vehicles. (A copy of the contract is filed with the supplemental papers to the minutes of this meeting.)

Chief Luce recalled the 2009 Dodge Charger where he obtained permission from the State of Florida Department of Transportation (FDOT) and the National Highway Traffic Safety Administration to proceed disposing the 2009 Chrysler Dodge Charger where more than \$5,000 from the sale would be sent to the state and if it was \$4,999 or less, the city would be required to allocate same towards the police department's traffic safety program.

ACTION: 6:23:14 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 had nothing to report on the State of Florida Department of Management Services case.

ACTION: 6:28:42 p.m. No action was taken.

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

Ms. Geraci-Carver had nothing to report on the Michael and Laurie Fewless case.

ACTION: 6:28:42 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**

With respect to the Norman C. Cummins v. Stephen P. Angelillo case, Ms. Geraci-Carver reported that a certificate of title was issued to Mr. Cummins; confirmed that the property located on US Highway 441-27 is officially belongs to him and indicated that the subject issue will, in future, be removed from her report. She anticipated that the code enforcement officer will be issuing a courtesy violation letter and the city would subsequently pursue same.

ACTION: 6:28:42 p.m. No action was taken.

- iv. **U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845 (Judge Baxley):**

Ms. Geraci-Carver identified a residential property, 412 Sunny Court, as another foreclosure case where the city was named as it has a lien. She

noted the amount of \$33,204.15 owed to the bank (the lender of Property Owner Mr. Robert T. Moore); the property's value, according to the tax assessor, of \$58,519, and the city's code enforcement lien owed on the property of approximately \$23,000, since the middle of June 2022.

Ms. Geraci-Carver referred to recent discussions amongst Mr. La Venia and the city's insurance company's assigned attorney from Public Risk Management of Florida Inc. on the ability to surrender from the subject case; if there is a willingness to release the lien. She relayed her questions on the city staying in the case with the attorney defending same where the city would be entitled to reap some of the proceeds -- if someone sees value in bidding and paying off the mortgage, fees, and costs of approximately \$45,000 -- the lien would be extinguished and if the mortgage foreclosure stops, or if the property would sell under foreclosure and if someone else does not do anything with the property, the lien will cease to exist, the city would surrender its rights and the code cases will start over again.

Ms. Geraci-Carver gave reasons why she does not recommend the city release the lien unless more definitive information is received; addressed the ability for the city to commit to new a contract, and suggested keeping the lien in place where the assigned attorney would file an answer.

ACTION: 6:28:42 p.m. No action was taken.

v. Code of Ordinances Codification

Earlier in the meeting and at Commissioner DeGrave's request, Ms. Geraci-Carver gave an update her provision of the missing ordinances and the reasons why she believed a large percentage of resolutions provided ought not to be codified and Ms. Coulson addressed the up-to-date ordinances provided to Municode and indicated that she is working with staff to finalize the already approved land development code changes before a clean copy is submitted to Municode.

At Commissioner DeGrave's request, Ms. Geraci-Carver agreed to include updates on future agenda in her report and Ms. Coulson would, additionally, provide updates on same.

ACTION: 6:21:21 p.m. No action was taken.

vi. Lake County Infill Housing Initiative – School Impact Fee Waiver

Ms. Geraci-Carver referred to the June 9, 2022 inquiry regarding Lake County's School Impact Fee Waiver for infill development; outlined the location criteria as described in her report, and indicated that she does not believe that there is one identified within the city.

ACTION: 6:34:45 p.m. No action was taken.

6. UNFINISHED BUSINESS

(a) Public Works Building at Water and Wastewater

At Commissioner DeGrave's request, Mr. La Venia relayed discussions he had with Ms. Geraci-Carver earlier today regarding the public works building that Mr. Brett J. Tobias, Halff Associates (engineers retained by the city), has almost finalized the invitation to bid (the public works building at the water and wastewater treatment plant site on Spring Lake Road).

ACTION: 6:24:32 p.m. and 6:36:07 p.m. No action was taken.

(b) Public Safety Building - Grants

As requested by Commissioner DeGrave, Mr. La Venia relayed his request to the grant writer to pursue applications for available grant funds towards the public safety building and additionally consider the following grants:

- community development block grants,
- ConVault tanks at public works
- three generators for the lift station
- Florida Recreation Development Assistance Program for an Americans with Disabilities compliant playground, and
- median landscape FDOT grants

ACTION: 6:24:58 p.m. No action was taken.

7. PUBLIC COMMENTS

ACTION: 6:36:08 p.m. No action was taken.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian – LS-MPO

Commissioner Mobilian referred to the June 22, 2022 Lake~Sumter Metropolitan Planning Organization meeting and reported that the CR-466A roadway improvement project (widening to four-lanes) is no longer on the priority projects list but it is fully funded and plans are underway by July 2022 to procure same.

ACTION: 6:36:28 p.m. The city commission commended Commissioner Mobilian on a job well done.

(b) Commissioner DeGrave

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

ACTION: 6:37:21 p.m. No action was taken.

(c) Commissioner Bell – Infill Impact Fees

Commissioner Bell referred to the June 6, 2022 email from Dennie M. Feliciano, City of Fruitland Park resident, together with the feral cat information sheet regarding the implications faced as a result of feeding of stray feral cats in the area, copies of which are filed with the supplemental papers to the minutes of this meeting.

After Commissioner Bell addressed how existing conditions could be improved, controlled and solved; pointed out the definition of feral cat as *community cat*, and referenced the owner under the county's existing code of ordinances, Ms. Geraci-Carver indicated that she would review the matter further as an option for the city commission to consider.

ACTION: 6:37:24 p.m. No action was taken.

(d) Vice Mayor Gunter, Jr.

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

ACTION: 6:45:09 p.m. No action was taken.

10. MAYOR'S COMENTS

Dates to Remember

Mayor Cheshire referred to the following events:

- June 25, 2022, Derby Race Community Center, 205 W Berckman Street, Fruitland Park, Florida 34731 at 10:00 a.m.
- July 4, 2022, Independence Day, City Hall Closed
- July 8, 2022, Lake County League of Cities Board of Directors, *Metropolitan Planning Organization Update and Adoption of FY 2022-23 FY Budget*, Mount Dora Golf Course, 110 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- July 8, 2022, Movie Night, Community Center, 205 W Berckman Street, Fruitland Park, Florida 34731 at 6:00 p.m.;
- July 14, 2022 regular city commission meeting;
- July 16, 2022, Wal-Mart Grand Reopening, 2501 Citrus Boulevard, Leesburg, Florida 34748 at 8:00 a.m.,
- July 28, 2022 regular city commission meeting;

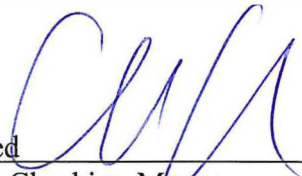
ACTION 6:45:19 p.m. No action was taken.

11. ADJOURNMENT

The meeting adjourned at 6:48 p.m.

The minutes were approved at the July 14, 2022 regular meeting.


Signed _____
Esther B. Coulson, City Clerk, MMC


Signed _____
Chris Cheshire, Mayor

