

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

November 10, 2022

City Hall Commission Chambers
506 West Berckman Street
Fruitland Park, Florida 34731

6:00 p.m.

- 1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**
Invocation – Pastor Greg Yarbrough, Trinity Assembly of God

Pledge of Allegiance – Police Chief Erik Luce
- 2. ROLL CALL**
- 3. SWEARING-IN AND INSTALLATION OF ELECTED OFFICIALS** (city clerk)
District 1 - Patrick DeGrave
District 2 - John Mobilian
- 4. ELECTION OF OFFICERS** (city clerk)
 - (a) Mayor**
 - (b) Vice Mayor**
- 5. SPECIAL PRESENTATIONS** (city clerk)
 - (a) *November 11, 2022 Veterans Day Proclamation***
 - (b) *October 31 to November 4, 2022 - National Veteran Small Business Week Proclamation***
- 6. LOCAL PLANNING AGENCY** (city clerk)
On or before 6:30 p.m. recess to the local planning agency.
- 7. COMMUNITY REDEVELOPMENT AGENCY** (city clerk)
On or before 6:45 p.m. recess to the community redevelopment agency.
- 8. CONSENT AGENDA**
Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a Commissioner, staff member or member of the public wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on remaining item(s); and (3) Discuss each pulled item separately and vote.

- (a) **Approval of Minutes** (city clerk)
October 13, regular and August 8, 2022 workshop
- (b) **Resolution 2022-056 Employees' Deferred Compensation Plan Renewal** (city attorney/city manager/city treasurer/human resources director)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, RENEWING AND ADOPTING A DEFERRED COMPENSATION PLAN FOR THE EMPLOYEES OF THE CITY OF FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.
- (c) **Resolution 2022-064 SRO Program Amendment – Fruitland Park Elementary School – Lake County School Board Agreement** (city attorney/city manager/police chief)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE AMENDED AND RESTATED AGREEMENT BETWEEN THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK, FLORIDA FOR THE SCHOOL RESOURCE OFFICER PROGRAM 2022/2023; INCREASING COMPENSATION TO THE CITY OF FRUITLAND PARK IN THE AMOUNT OF \$5,101.00 FOR TOTAL ANNUAL COMPENSATION OF \$65,063.00; PROVIDING FOR AN EFFECTIVE DATE.
- (d) **Resolution 2022-065 – Urick Street Force Main Extension - Clean Water State Revolving Fund Administrative Services Proposal – Halff Associates Inc.** (city attorney/city manager)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING ADMINISTRATIVE SERVICES PROPOSAL DATED OCTOBER 11, 2022 FROM HALFF IN AN AMOUNT NOT TO EXCEED \$24,500; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.
- (e) **Resolution 2022-066 – Urick Street Force Main Extension - 60-Day Time Extension - Cathcart Construction Company LLC** (city attorney/city manager)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING 60-DAY EXTENSION TO CONSTRUCTION TIME REQUESTED BY CATHCART CONSTRUCTION

COMPANY FLORIDA LLC, OVIEDO; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY REQUIRED APPROVAL; PROVIDING FOR AN EFFECTIVE DATE.

(f) Lake County Educational Concurrency Review Committee Appointment (city clerk)

Motion to appoint a member to serve on the Lake County Educational Concurrency Review Committee.

(g) 2023 Proposed Meeting Schedule (city clerk)

Motion to approve the proposed 2023 city commission meeting schedule.

9. REGULAR AGENDA

(a) Resolution 2022-067 and Budget Amendment BT2023-001 Urick Street Sewer Extension Project Construction SRF Loan (city treasurer)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE 2022/2023 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE SRF SEWER LOAN REVENUE BUDGET AND THE SEWER SYSTEM IMPROVEMENT URICK STREET SEWER EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

(b) Executive Order 14074 Letter of Notification - Law Enforcement Support Office Surplus Program Participation (city manager/police chief)

Motion to accept Executive Order 14074 Letter of Notification.

(c) Audio System for Community Center Quotes (city manager/parks and recreation director)

Motion to consider itemized quotes for the installation of an audio system to include speakers, main panel control system, microphones, amplifiers:

- Control Freak \$45,711.82
- Casaplex \$57,142.07

PUBLIC HEARING

(d) Second Reading and Public Hearing - Ordinance 2022-020 Water Rate Increase (city attorney/city manager/city treasurer)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AMENDING SECTION 50.30

IN CHAPTER 50 OF THE FRUITLAND PARK CODE OF ORDINANCES TO ADJUST THE WATER UTILITY RATES BASED ON JANUARY 2022 CONSUMER PRICE INDEX; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on October 13, 2022.)

- (e) **Second Reading and Public Hearing – Ordinance 2022-021 Water and Wastewater Rate Increase** (city attorney/city manager/city treasurer)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING SECTION 99.60 IN CHAPTER 50 OF THE FRUITLAND PARK CODE OF ORDINANCES TO ADJUST THE WASTEWATER UTILITY RATES BASED ON JANUARY 2022 CONSUMER PRICE INDEX; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on October 13, 2022.)

QUASI-JUDICIAL PUBLIC HEARING

- (f) **First Reading and Quasi-Judicial Public Hearing – Ordinance 2022-023 – SSCPA 14.98+ Acres – North of CR 466A and East of Oliver Lane - Petitioner: T. D. Burke** (city attorney/city manager/community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A SMALL SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM LAKE COUNTY RURAL TO CITY MULTI-FAMILY HIGH DENSITY ON 14.98 +/- ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND EAST OF OLIVER LANE; DIRECTING THE CITY MANAGER OR DESIGNEE TO TRANSMIT THE AMENDMENT TO THE APPROPRIATE GOVERNMENTAL AGENCIES PURSUANT TO CHAPTER 163, FLORIDA STATUTES; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT

HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.
(The second reading will be held on December 8, 2022.)

- (g) **First Reading and Quasi-Judicial Public Hearing – Ordinance 2022-024 – Rezoning 19.56± Acres – 305 CR 466A MDA – Petitioner: T. D. Burke** (city attorney/city manager/community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 19.56 + ACRES OF PROPERTY FROM CITY OF FRUITLAND PARK C-2 AND LAKE COUNTY AGRICULTURE TO CITY OF FRUITLAND PARK MIXED USE PLANNED UNIT DEVELOPMENT (MPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK FOR RESIDENTIAL AND COMMERCIAL USE; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on December 8, 2022.)

- (h) **First Reading and Quasi-Judicial Public Hearing – Ordinance 2022-025 – Boundary Amendment - CR 466-A, East of Oliver Lane and West of Micro Racetrack Road – Petitioner: T. D. Burke** (city attorney/city manager/community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE BOUNDARIES OF THE CITY OF FRUITLAND PARK FLORIDA, IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE CITY LIMITS APPROXIMATELY 15.00 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466-A, EAST OF OLIVER LANE AND WEST OF MICRO RACETRACK ROAD; DIRECTING THE CITY MANAGER TO PROVIDE CERTIFIED COPIES OF THIS ORDINANCE AFTER APPROVAL TO THE CLERK OF THE CIRCUIT COURT, THE LAKE COUNTY MANAGER AND THE DEPARTMENT OF STATE OF THE STATE OF FLORIDA; PROVIDING FOR SCRIVENER'S ERRORS, SEVERABILITY AND CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on December 8, 2022.)

- (i) **Quasi-Judicial Public Hearing – Resolution 2022-040 Lake Myrtle Breezes Variance – Petitioner: Crystal Lake Land Holdings LLC** (city attorney/city manager/community development)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATIONS (LDR) RULE OF MINIMUM LOT WIDTH AT BUILDING SETBACK LINE FROM 80' TO 70' ON THE DESCRIBED PROPERTY LOCATED AT 1108 MYRTLE BREEZES COURT IN THE CITY OF FRUITLAND PARK, FLORIDA, OWNED BY CRYSTAL LAKE LAND HOLDINGS, LLC, PROVIDING FOR AN EXPIRATION DATE AND PROVIDING FOR AN EFFECTIVE DATE.

- (j) **Quasi-Judicial Public Hearing - Resolution 2022-062 Unity of Title – Indivisible Building Site 305 CR 466A – Petitioner: T. D. Burke**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A DECLARATION OF UNITY OF TITLE UNIFYING AS AN INDIVISIBLE BUILDING SITE, TWO PROPERTIES LOCATED AT 305 COUNTY ROAD 466-A, FRUITLAND PARK, FLORIDA, OWNED BY T.D. BURKE AND IDENTIFIED BY THE LAKE COUNTY PROPERTY APPRAISER AS ALTERNATE KEY NUMBER 3884325 AND ALTERNATE KEY NUMBER 1699649; PROVIDING FOR A DECLARATION OF UNITY OF TITLE TO BE RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

END OF QUASI-JUDICIAL PUBLIC HEARING

END OF PUBLIC HEARING

10. (a) **City Manager –**
i. **Economic Development Status Update**
ii. **LCWA 2022-023 Cooperative Stormwater Initiative**
- (b) **City Attorney**
i. **City of Fruitland Park v. State of Florida Department of Management Services**

- ii. **Michael and Laurie Fewless v. City of Fruitland Park**
- iii. **U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845**
- iv. **Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628**
- v. **Fruitland Park Official City Code**

11. UNFINISHED BUSINESS

12. PUBLIC COMMENTS

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the City Commission at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the City Commission. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the City Commission addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

13. COMMISSIONERS' COMMENTS

- (a) **Commissioner Mobilian**
- (b) **Commissioner DeGrave**
- (c) **Commissioner Bell**
- (d) **Vice Mayor Gunter, Jr.**

14. MAYOR'S COMMENTS

15. ADJOURNMENT

DATES TO REMEMBER

- November 11, 2022 Veterans' Day - City Hall Closed
- November 11, 2022 American Legion Post 219 Veterans' Day Service, (Outside City Hall) at 11:00 a.m.;

November 10, 2022 Regular Agenda

- November 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.;
- November 17, 2022, Employee Thanksgiving Lunch, 205 West Berckman Street, Fruitland Park, Florida 34731 at 12:00 p.m.;
- November 18, 2022, Comedy Night, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- November 19, 2022, Brews, Blues and BBQ, 205 West Berckman Street, Fruitland Park, Florida 34731 at 5:00 p.m.;
- November 24, 2022, Thanksgiving – City Hall Closed;
- November 24, 2022, Day After Thanksgiving – City Hall Closed;
- November 25, 2022, City Commission regular at 6:00 p.m. – Cancelled;

- December 2, 2022, Employee Christmas Party 205 West Berckman Street, Fruitland Park, Florida 34731 at 6:00 p.m.;
- December 7, 2022, Annual School Concurrency Committee Meeting, Lake County School District, Board Room, at 10:00 a.m.;
- December 8, 2022 Heritage Community Church Christmas Luncheon, 509 West Berckman Street, Fruitland Park, Florida 34731 at 11:00 a.m.;
- December 8, 2022, City Commission regular at 6:00 p.m.;
- December 9, 2022 Hometown Christmas at 5:30 p.m.;
- December 17, 2022, *10th Annual Wreaths Across America* Ceremony, Shiloh Cemetery, Fruitland Park, Florida 34731 at 12:00 p.m.;
- December 22, 2022, City Commission regular at 6:00 p.m. – Cancelled
- December 23, 2022, City Hall Closed – New Year’s Eve,
- December 26, 2022, City Hall Closed – Christmas Day, and
- December 30, 2022, City Hall Closed – New Year’s Day

Please note that in addition to the city commission meetings, more than one city commissioner may be present at the above-mentioned events.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the City Clerk’s Office at City Hall (352) 360-6727 at least forty-eight (48) hours prior to the meeting. (§286.26 F.S.)

If a person decides to appeal any decision made by the City of Fruitland Park with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings and ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide verbatim records. (§286.0105, F.S.)

PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE