

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

December 8, 2022

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

6:00 p.m.

1. **CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**
Invocation –Sister Rosalind Peoples, Mount Pleasant AME Church

Pledge of Allegiance – Police Chief Erik Luce
2. **ROLL CALL**
3. **Wreaths Across America Proclamation** (city clerk)
4. **COMMUNITY REDEVELOPMENT AGENCY** (city clerk)
On or before 6:15 p.m. recess to the community redevelopment agency.
5. **REGULAR AGENDA**
 - (a) **Resolution 2022-071 Engineering and Surveying Services 2022-23 Hourly Rate Schedule – Halff Associates Inc.** (city manager/city attorney)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE 2022-2023 STANDARD HOURLY RATE SCHEDULE FOR ENGINEERING SERVICES AND THEREBY AMENDING THE ENGINEERING AND SURVEYING SERVICES AGREEMENT WITH HALFF ASSOCIATES INC. TO INCLUDE SAID SCHEDULE; REPEALING ALL FEES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.
 - (b) **Resolution 2022-073 Auction Services - George Gideon Auctioneers Inc.** (city attorney/city manager/police chief)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE PIGGYBACK AGREEMENT FOR ONLINE AUCTION SERVICES BETWEEN THE CITY OF FRUITLAND PARK, FLORIDA AND GEORGE GIDEON AUCTIONEERS, INC. PER THE SCHOOL DISTRICT OF OSCEOLA COUNTY, FLORIDA CONTRACT #C-21-0466-AD FOR AUCTION OF SURPLUS PROPERTY OWNED BY THE CITY OF FRUITLAND PARK, FLORIDA; AUTHORIZING THE CITY

MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE.

(c) Resolution 2022-068 – Declaring Certain Personal Property -
(city attorney/city manager/police chief)

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.

(d) Resolution 2022-072 Wal-Mart Settlement Agreement – Opioid Litigation and Assignment of Funds to Lake County (city attorney)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING PARTICIPATION IN WALMART SETTLEMENT AGREEMENT IN OPIOID LITIGATION AND FURTHER APPROVING ASSIGNMENT OF CITY FUNDS RECEIVED FROM OPIOID LITIGATION TO LAKE COUNTY TO CARRY-OUT THE TERMS OF THE INTERLOCAL AGREEMENT FOR USE OF LAKE COUNTY REGIONAL OPIOID SETTLEMENT FUNDS PROVIDING FOR AN EFFECTIVE DATE.

(e) Resolution 2022-070 - AV Audio System for Community Center Quotes (city attorney/city manager/parks and recreation director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CONTROL FREAK AUDIO & VIDO INTEGRATION, LLC'S INVOICE NO. 1282 DATED OCTOBER 4, 2022 IN THE AMOUNT OF \$45,711.82 TO PURCHASE AND INSTALL AN AUDIO VISUAL SYSTEM MORE PARTICULARLY DESCRIBED IN THE INVOICE AT THE FRUITLAND PARK COMMUNITY CENTER; PROVIDING FOR AN EFFECTIVE DATE.

PUBLIC HEARING

(f) Second Reading 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 first reading was held on November 10, 2022.)

- (g) **Second Reading and 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 first reading was held on November 10, 2022.)

- (h) **Second Reading and 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 first reading was held on November 10, 2022.)

QUASI-JUDICIAL PUBLIC HEARING

- (i) **Second Reading and Quasi-Judicial Public Hearing - Resolution 2022-062 Unity of Title Hawthorns – Petitioner: T. D. Burke** (city attorney/city manager/community development director)

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. (The first reading was held on November 10, 2022.)

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

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. (The first reading was held on November 10, 2022.)

END OF QUASI-JUDICIAL PUBLIC HEARING

END OF PUBLIC HEARING

6. (a) **City Manager**
 - i. **Economic Development Status Update**
 - ii. **Lemon Street Baffle Box - LCWA 2022-23 Cooperative Stormwater Initiative Grant**
- (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**

7. UNFINISHED BUSINESS

8. 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.

9. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

(b) Commissioner Bell

(c) Commissioner Gunter

(d) Vice Mayor DeGrave

10. MAYOR'S COMMENTS

11. ADJOURNMENT

DATES TO REMEMBER

- December 8, 2022, City Commission regular at 6:00 p.m.;
- December 9, 2022 *Lake Technical College Update*, Lake County League of Cities Inc. Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 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 – Christmas Eve;
- December 26, 2022, City Hall Closed – Christmas Day;
- December 30, 2022, City Hall Closed – New Year's Day;

- January 2, 2023, City Hall Closed – New Year's Day;
- January 8, 2023, City Commission regular at 6:00 p.m.;
- January 9, 2023, 2022 Lake County Legislative Delegation, Venetian Center, 1 Dozier Circle, Leesburg, Florida 34748 at 9:00 a.m.;
- January 16, 2023, City Hall Closed - Dr. Martin Luther King Jr. Holiday;
- January 22, 2023, City Commission regular at 6:00 p.m.;

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