

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
January 12, 2023**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 12, 2023 6:00 p.m.

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

**Also present:** City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce; Messrs. Michael “Mike” Rankin (Interim Community Development Director), LPG Urban Regional Planners Inc. (consultant retained by the city); Public Works Director Robb Dicus; Parks and Recreation Director Michelle Yoder; Deputy Finance Director Gary Bachman; Deputy City Clerk Candice Dennis; Lieutenant/Paramedic Eddie Johnson and Firefighter Emergency Medical Technician John Ploski Lake County Fire Rescue, and City Clerk Esther B. Coulson.

**1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

Mayor Cheshire called the meeting to order; Pastor Chuck Padgett, Trinity Assembly of God, gave the invocation and Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:04:01 p.m. No action was taken.

**2. ROLL CALL**

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

Mayor Cheshire recognized the following changes to this evening’s agenda:

**4.(b) Resolution 2023-004**

Addendum, a copy of which was distributed for the record and filed with the supplemental papers to the minutes of this meeting.

**5.(a) Resolution 2023-001**

To be considered after Item 5c.

**5.(d) Resolution 2023-009**

To be postponed at staff’s request.

ACTION: 6:05:59 p.m. **By unanimous consent and upon Mayor Cheshire’s suggestion, the city commission accepted the above-captioned changes to this evening’s agenda.**

**3. COMMUNITY REDEVELOPMENT AGENCY**

On or before 6:15 p.m. recess to the community redevelopment agency.

**ACTION 6:06:32 p.m. By unanimous consent, the city commission recessed its meeting at 6:07 p.m. to the community redevelopment agency and reconvened at 6:15 p.m.**

**4. CONSENT AGENDA**

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

**(a) Approval of Minutes**

Regular meeting minutes:

- December 8, 2022
- November 10, 2022

**(b) Resolution 2023-004 Lemon Street Baffle Box - LCWA 2022-23 Cooperative Stormwater Initiative Grant**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE CITY MANAGER TO SUBMIT A COOPERATIVE STORMWATER INITIATIVE GRANT APPLICATION IN THE AMOUNT OF \$330,000 TO THE LAKE COUNTY WATER AUTHORITY FOR A BAFFLE BOX TO BE INSTALLED AROUND MIRROR LAKE, PROVIDING FOR AN EFFECTIVE DATE. (Ratified at the November 10, 2022 regular meeting.)

**ACTION 6:14:38 p.m. On motion of Vice Mayor DeGrave, seconded by Commissioner Bell and unanimously carried, the city commission approved the previously cited consent agenda as amended to include Resolution 2023-004.**

**By unanimous consent, the city commission took the following items out of order on this evening's agenda:**

**5. REGULAR AGENDA**

**(b) Resolution 2023-002 Civil Engineering and Surveying - Spring Lake Road Water Line Extension – Halff Inc. Agreement/Proposal**

Ms. Geraci-Carver read into the record the proposed Resolution 2023-002, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AGREEMENT/PROPOSAL FOR SPRING LAKE ROAD WATER LINE EXTENSION DATED NOVEMBER 1, 2022 FROM HALFF IN AN AMOUNT NOT TO EXCEED \$26,500.00 FOR ENGINEERING AND SURVEYING SERVICES; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.

**ACTION 6:15:43 p.m. After discussion, a motion was made by Commissioner Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2023-002 as previously cited.**

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

**(c) Resolution 2023-003 Patricia Avenue Water Main – Halff Inc. Agreement/Proposal**

Ms. Geraci-Carver read into the record proposed Resolution 2023-003, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AGREEMENT/PROPOSAL FOR PATRICIA AVENUE DATED NOVEMBER 1, 2022 FROM HALFF IN AN AMOUNT NOT TO EXCEED \$35,577.50 FOR ENGINEERING AND SURVEYING SERVICES FOR THE PATRICIA AVENUE WATER MAIN; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.

**ACTION 6:18:15 p.m. After further discussion, a motion was made by Commissioner Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2023-002 as previously cited.**

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

**(a) Resolution 2023-001 and Budget Amendment BT2023-002 Spring Lake Road Line Extension and Patricia Avenue Water Main Line Extension Construction Projects – FY 2022-23**

Ms. Geraci-Carver read into the record proposed Resolution 2023-001, the substance of which is as follows:

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 TRANSFER IN FROM WATER IMPACT FUND REVENUE BUDGET AND THE WATER MAIN CONSTRUCTION AND LINE EXTENSION EXPENSE BUDGETS; AND PROVIDING FOR AN EFFECTIVE DATE.

**ACTION 6:20:49 p.m. After much discussion, a motion was made by Commissioner Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2023-001 as previously cited.**

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

**(d) Resolution 2023-009 Gazebo for Fruitland Park Community Center's Courtyard**

The city commission considered its action to adopt Resolution 2023-009 Gazebo for Fruitland Park Community Center's Courtyard.

**ACTION 6:23:30 p.m. On motion made by Vice Mayor DeGrave, seconded by Commissioner Mobilian and unanimously carried, the city commission postponed its action to adopt Resolution 2023-009 to the next meeting at staff's request.**

**(e) Resolution 2023-008 - Gardenia Park and Veterans Park Pavilions Roof Replacements**

Ms. Geraci-Carver read into the record proposed Resolution 2023-008, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE SALES CONTRACT FROM ROOFING COVENANT CONSTRUCTION IN THE AMOUNT OF \$41,547.00 TO REPLACE TWO PAVILION ROOFS; AUTHORIZING THE MAYOR TO EXECUTE THE SALES CONTRACT; PROVIDING FOR AN EFFECTIVE DATE.

**ACTION: 6:23:46 p.m. A motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2023-008 as previously cited.**

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

**(f) CRA Redevelopment Taxes FY 2023**

The city commission considered its action to approve the payment of invoices from the general fund for the Community Redevelopment Agency FY 2023 redevelopment taxes.

**ACTION: 6:24:54 p.m. After discussion and on motion of Commissioner Bell, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the invoices as previously cited.**

**(g) Comprehensive Plan and Redistricting Map - LPG Professional Consulting Services Proposal Discussion**

Mr. La Venia recalled the city commission's previous discussions regarding LPG Urban & Regional Planners Inc.'s proposal for the City of Fruitland Park.

Mr. La Venia addressed the need for redistricting maps to be changed based on population before January 1, 2024; mentioned his preference for the map to be completed by July 2023, and pointed out the city's comprehensive plan updates that was addressed at a previous CRA meeting.

In concurrence, Mr. Rankin requested the city commission's consideration to update the city-wide redistricting maps and any other data and outlined the elements to be addressed in the comprehensive plan to be combined in one proposal at a cost not to exceed \$40,000.

**ACTION: 6:25:41 p.m. Following further discussion and by unanimous consent, the city commission accepted LPG Urban & Regional Planners Inc.'s proposal for the City of Fruitland Park's Comprehensive Plan Updates and Redistricting Map and for a resolution to be drafted for consideration at the next meeting.**

**By unanimous consent, Mayor Cheshire opened the public hearings.**

**PUBLIC HEARING**

**(h) Second Reading and Public Hearing – Ordinance 2022-015 LSCPA – 68.55± Acres Timbertop Lane – Petitioners: Stephanie Bailey Bouis and Patricia Bouis Thompson**

It now being the time advertised to hold a public hearing to consider Ordinance 2022-015, after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A LARGE SCALE COMPREHENSIVE PLAN AMENDMENT BY AMENDING THE FUTURE LAND USE PLAN DESIGNATION FROM CITY OF FRUITLAND PARK COMMUNITY MIXED USE TO GENERAL MIXED USE OF 68.55 +/- ACRES OF PROPERTY GENERALLY LOCATED ON TIMBERTOP 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 October 13, 2022.)

**ACTION:** 6::31:27 p.m. After extensive discussion, a motion was made by Vice Mayor DeGrave and seconded by Commissioner Bell that the city commission enact Ordinance 2022-015 to become effective immediately as provided by law.

Mr. Carl Yauk, The Villages of Fruitland Park (Pine Hills resident), posed questions on the entrances into the subject project location and the restrictions affecting wetlands shown on the site plan.

In response, Ms. Tara L. Tedrow, Attorney, Lowndes, Drosdick, Doster, Kantor & Reed, PA, on behalf of the applicant, confirmed that the developer is not proposing to build in any of the required setbacks; will not be imposing on the wetland boundaries -- which will be protected as part of the required permitting -- and that their design would not allow for any active recreation or building footprint areas.

With respect to working with Mr. Seth Lynch, Lake County Public Works Department Engineering Division, Ms. Kelly Froelich, Intram Investments Inc. representing the applicant, answered that the access roads and their initial plans are currently being coordinated with the county.

After extensive discussions and 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.

(i) **Second Reading and Public Hearing - Ordinance 2022-014 Rezoning 68.55± Acres Timbertop Lane — Petitioners: Stephanie Bailey Bouis and Patricia Bouis Thompson**

It now being the time advertised to hold a public hearing to consider Ordinance 2022-014, after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 68.55 ± ACRES OF PROPERTY FROM CITY OF FRUITLAND PARK PUD TO CITY OF FRUITLAND PARK MIXED USE PLANNED UNIT DEVELOPMENT (MUPUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING AN AMENDED MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO AMEND 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 October 13, 2022.)

In response to Mayor Cheshire's inquiry, Ms. Geraci-Carver cited the following changes made to the amended master development agreement since the first public hearing:

- Subsection 5.A., Permitted Uses and Development Standards, Non-Residential Uses, struck the words *self-storage facilities* as permitted uses;
- Subsection 5.B., Permitted Uses and Development Standards, Residential Uses:
  - o removed the provision *condominium dwelling units (for rent or fee simple ownership)*;
  - o left *Single-family attached residential dwelling units (townhomes for rent or fee simple ownership)*, and
  - o left *Multi-family residential dwelling units* and included (*Garden Apartments*) and
- Subsection 5.D., Permitted Uses and Development Standards, Residential Uses: removed the provisions under *Use Variation* and replaced with *Open Space*,
- Section 6., Property Owners Association. Added the last sentence to read: *A property owner association(s) shall be required to set up and maintain a reserve account for road maintenance, repair and replacement.*
- Section 8, Road Improvements, language added to include: *The roadway widths shall be constructed to meet city code, or where applicable, county standards. At a minimum the owner will dedicate forty (40') feet right of way for Timbertop Lane extension with a 15-ft. trail. All roads within the property, other than roads within any gated residential portions of the property, shall be for the benefit of the public. All roads within the property shall be owned by and the responsibility of the owner and its successors and assigns, or property association(s).*
- Section 10, Water, Wastewater, and Reuse Water, provisions added to read: *Owner shall design, permit and construct, at owner's expense, all on-site utility facilities (e.g. lift stations and lines) as well as off-site improvements to extend utility lines to the property. All specifications and plans must be submitted to the city for review and approval prior to permitting and construction. Construction of all improvements shall be in accordance with the City of Fruitland Park's requirements, FDEP standards and sound engineering practices.* and
- Section 19, Solid Waste Disposal Facilities, removed the word *condominiums*.

Later in the meeting and in response to Mr. Yauk's inquiry, Ms. Tedrow referred to the Miller Park PD plan delineating the total site and developable area of 3.22 acres wetland and lake area; pointed out the future land use plan and zoning map amendments on parcel identifications regardless of water bodies and explained that there is no city designation for future land use or water code.

**ACTION:** 6:46:48 p.m. After discussion, a motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission enact aforementioned Ordinance 2022-014 with the amended provisions to the amended master development agreement cited by the city attorney to become effective immediately as provided by law.

After discussion and 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 PUBLIC HEARING

10. (a) City Manager –

i. **Economic Development Status Update**

Mr. La Venia indicated economic development was addressed earlier this evening at the CRA meeting.

**ACTION:** 6:54:06 p.m. No action was taken.

ii. **Land Development Regulations – Signs**

Mr. La Venia referred to the city commission's previous discussions on signs and relayed, since his recent meeting with Ms. Geraci-Carver, that advertisements on parked vehicles can be permitted on parking lots. He referred to his previous conversations with Mr. Clay Rector, property owner on the intersection of Dixie Avenue and CR466 A, regarding the need to meet compliance by January 16, 2023 to the following before the matter proceeds to the special magistrate:

- remove the trucks off from the front of the property on CR 466A;
- convey to his tenant to complete, submit and pay the business tax receipt,
- complete the site plan application which would reveal the location of the parked vehicles, and
- obtain the sign permit.

**ACTION:** 6:54:19 p.m. After much discussion and by unanimous consent, the city commission directed the city attorney to draft language in the land development regulations on site plans



**requirements as it relates to regulating new businesses with associated vehicles to park their vehicles in designated parking space(s) not visible from the roadway.**

**(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 matter.

ACTION: 7:06:36 p.m. No action was taken.

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

Ms. Geraci-Carver explained that mediation will take place on January 19, 2023 on the Michael and Laurie Fewless case.

ACTION: 7:06:36 p.m. No action was taken.

**iii. U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845**

Ms. Geraci-Carver had nothing to report on the U.S. Bank National Association v. Robert Moore Case No. 2022-CA-00845.

ACTION: 7:06:36 p.m. No action was taken.

**iv. Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628**

Ms. Geraci-Carver had nothing to report on the Wayne Goodridge and Tammy Goodridge Case No. 2022-CA-1628.

ACTION: 7:06:36 p.m. No action was taken.

**v. Fruitland Park Official City Code**

Ms. Geraci-Carver had nothing to report on the official city code.

ACTION: 7:06:36 p.m. No action was taken.

**vi. Kaitlin Delong vs. City of Fruitland Park, Lake County Case No. 2022-CA-00463:**

Ms. Geraci-Carver had nothing to report on the Kaitlin Delong Lake County Case 2022-CA-00463.

ACTION: 7:06:36 p.m. No action was taken.

**11. UNFINISHED BUSINESS**

There was no unfinished business to come before the city commission at this time.

ACTION: 7:07:29 p.m. No action was taken.

**12. PUBLIC COMMENTS**

After Mr. Yauk referred to the \$1.7 trillion Omnibus Spending Bill which includes \$3.6 million from the department of transportation highway infrastructure program funding to complete roadway improvements on CR 466A and questioned whether the project's timeframe would change or result in fewer funding already allocated in that regard, Mr. La Venia described the source of funding.

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

**13. COMMISSIONERS' COMMENTS**

**(a) Commissioner Mobilian – CR 466A Funding**

Commissioner Mobilian addressed his plan to relay Mr. Yauk's previous question to the Lake~Sumter Metropolitan Planning Organization Governing Board at its February 22, 2023 meeting.

ACTION: 7:10:30 p.m. No action was taken.

**(b) Commissioner Bell - LCLC**

**i. LCLC**

Commissioner Bell announced the Lake County League of Cities' (LCLC's) luncheon meeting to take place at the City of Fruitland Park's Recreation Center on January 22, 2023 and encouraged everyone to attend.

ACTION: 7:10:42 p.m. No action was taken.

**(c) Commissioner Gunter, Jr. – Excused Absence**

Commissioner Gunter announced that he will not be in attendance at the February 23, 2023 regular meeting.

ACTION: 7:11:07 p.m. No action was taken.

**(d) Vice Mayor DeGrave**

Vice Mayor DeGrave had nothing to report at this time.

ACTION: 7:11:23 p.m. No action was taken.

**14. MAYOR'S COMMENTS –**

**(a) President's Day**

Mayor Cheshire announced that President's Day is recognized on February 20, 2023; relayed a request for the city commission to consider observing same as a holiday, and cited the presidents day observances on February 20, 2023

by the Cities of Belleview, Eustis, Leesburg, Mascotte, Mount Dora, Tavares, Wildwood, the Town of Lady Lake, Lake County, all state and federal governmental offices, and financial institutions:

After lengthy discussion, the city commission discussed and voiced concerns on the request proposed by Human Resources Director Betty McHale.

ACTION: 7:11:26 p.m. No action was taken.

**(b) Dates to Remember**

Mayor Cheshire announced the following events:


- January 13, 2022 Organizational Meeting, LCLC, Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 12:00 p.m.;
- January 16, 2023, City Hall Closed - Dr. Martin Luther King Jr. Holiday;
- January 20, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- January 26, 2023, City Commission regular at 6:00 p.m.;
- January 24, 2023, Employee Service and Safety Luncheon, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 12:00 p.m.;
  
- February 9, 2023, City Commission regular at 6:00 p.m.;
- February 10, 2023, LCLC, TBD, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida at 12:00 p.m.;
- February 13, 2023, Parks, Recreation and Trails Advisory Board, Office of Parks and Trails Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;
- February 14, 2023 – *Love Week*
- February 17, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- February 22, 2023 – LS~MPO, Governing Board Meeting, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida 34748 at 2:00 p.m.;
- February 23, 2023, City Commission regular at 6:00 p.m.;

ACTION: 7:16:40 p.m. No action was taken.

**15. ADJOURNMENT**

The meeting adjourned at 7:18 p.m.

The minutes were approved at the January 26, 2023 regular meeting.

  
Signed  
Esther B. Coulson, City Clerk, MMC

  
Signed  
Chris Cheshire, Mayor

