

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
January 26, 2023**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, January 26, 2023 6:00 p.m.

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

Member Absent: Commissioner Chris Bell.

Also Present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Captain Henry Rains, Police Department; Mr. Michael “Mike” Rankin, Interim Community Development Director, LPG Urban Regional Planners Inc. (consultant retained by the city); Parks and Recreation Director Michelle Yoder; Deputy City Clerk Candice Dennis, and City Clerk Esther B. Coulson.

1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Cheshire called the meeting to order; Commander Larry Miller, John Gella Memorial Unit 219 Inc., gave the invocation and Captain Rains led in the pledge of allegiance to the flag.

ACTION: 6:00:10 p.m. No action was taken.

2. ROLL CALL

After Mayor Cheshire requested that Ms. Coulson call the roll and announced the absence of Commissioner Bell, a quorum was declared present.

Mayor Cheshire recognized the change on this evening’s agenda to item 7.(a), Resolution 2023-011 Gazebo Installation with addendum, the proposed resolution.

ACTION: 6:02:13 p.m. **By unanimous consent and upon Mayor Cheshire’s suggestion, the city commission excused the absence of Commissioner Chris Bell and accepted the above-captioned change to this evening’s agenda.**

3. SPECIAL PRESENTATIONS

(a) Love Week Proclamation – February 11-19, 2023

On behalf of the city commission, Mayor Cheshire read into the record a proclamation proclaiming the week of February 11 to 19, 2023 as *Love Week* to offer support in joining the community to perform acts of kindness by making a difference in creating an atmosphere of partnership and generosity within the city. Additionally, he read into the record highlights of the events to take place around that time from the media Press Release *Love Week 2023*; a copy of which is filed with the supplemental papers to the minutes of this meeting.

ACTION: 6:02:43 p.m. The proclamation was accepted with gratitude by Pastor Sidney Brock, Heritage Community Church, who announced that information on the events are available on the website: www.loveweek@fp.com and that it is a blessing to work together; namely, partnership with churches, governmental agencies, schools, businesses and civic organizations.

(b) Delegation - Petitioner's Annexation Request Discussion

Later in the meeting, Mr. Dan Tatro, Grizzard Commercial Real Estate Group LLC, addressed the annexation of 5.5 units an acre of high-density multi-family dwelling units on an existing agricultural site (platted Oliver Lane site) near J. C. Burke property. He described the development of commercial properties in and around the subject location.

Ms. Tara L. Tedrow, Attorney, Lowndes, Drosdick, Doster, Kantor & Reed, PA, on behalf of Hillpointe Development :LLC (potential owner-operator/developer), gave a power-point presentation on its proposed request for a cottage-style project under contract (multi-family low density at eight dwelling units per acre); anticipated feedback from the city commission, and addressed the intent to appear at a future meeting in that regard; a copy of which is filed with the supplemental papers to the minutes of this meeting.

It being 6:15 p.m. and upon Mayor Cheshire's announcement, **the city commission, by unanimous consent, waived its rules to recess to the local planning agency upon the conclusion of this agenda item.**

Extensive discussions ensued and Ms. Tedrow addressed her plan to obtain from staff data on the number of approved and developed multi-family dwelling units and zoning designations with permitted use and zoning designations to be considered; Vice Mayor DeGrave recalled the city commission's previous position on the proximity of same to another cluster, and Mr. Nicholas "Nick" Everly, Hillpointe Development LLC, described features of the proposed cottages.

ACTION: 6:07:06 p.m. No action was taken.

4. LOCAL PLANNING AGENCY

On or before 6:15 p.m. recess to the local planning agency.

ACTION 6:29:21 p.m. **By unanimous consent, the city commission recessed its meeting at 6:29 p.m. to the local planning agency.**

5. COMMUNITY REDEVELOPMENT AGENCY

On or before 6:30 p.m. recess to the community redevelopment agency.

ACTION 6:46:56 p.m. **By unanimous consent, the city commission recessed its meeting at 6:47 p.m. to the community redevelopment agency and reconvened at 6:56 p.m.**

6. CONSENT AGENDA

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

- (a) **Approval of Minutes**
January 12, 2023 regular and workshop.

- (b) **Resolution 2023-010 Soccer Field 6th Am. – NW Lake Community Park**
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE SIXTH AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK REGARDING JOINT DEVELOPMENT OF A SOCCER FIELD AT NORTHWEST LAKE COMMUNITY PARK; PROVIDING FOR AN EFFECTIVE DATE.

- (c) **Resolution 2023-009 Gazebo for Fruitland Park Community Center's Courtyard**
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING FIFTHROOM QUOTE DATED MAY 9, 2022 QUOTE NO. 3038599-B IN THE AMOUNT OF \$33,018.00 TO PURCHASE A GAZEBO FOR THE COMMUNITY CENTER COURTYARD; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the January 12, 2023 regular meeting.)

ACTION 6:56:16 p.m. On motion of Commissioner Gunter, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the previously cited consent agenda.

7. REGULAR AGENDA

- (a) **Resolution 2023-011 Gazebo Installation for Fruitland Park Community Center's Courtyard**

After Mayor Cheshire noted Section 1 of proposed Resolution 2023-011 to read: *\$21,715* and not *\$21,750*, Ms. Geraci-Carver read into the record the following title:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING ZORN CONSTRUCTION AND DEVELOPMENT JOB NO. 01799.22.1 DATED OCTOBER 17, 2022 IN THE AMOUNT OF \$21,715.00 TO INSTALL A GAZEBO AT THE COMMUNITY CENTER COURTYARD; PROVIDING FOR AN EFFECTIVE DATE.

ACTION 6:56:47 p.m. A motion was made by Commissioner Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2023-011 as previously cited.

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

(b) Golf Cart Quotes – Parks and Recreation

The city commission considered its action to approve staff's recommendation on one of the following golf cart quotes:

- Mid Florida Golf Carts	\$11,998.00
- Cart World	\$15,076.93
- Club Car	\$17,809.00
- EZ Go	\$20,269.00

ACTION 6:58:05 p.m. After much discussion and on motion of Vice Mayor DeGrave, seconded by Commissioner Mobilian and unanimously carried, the city commission approved staff's recommendation to select as the lowest, responsive and responsible bidder, Mid Florida Golf Carts' quote for \$11,998.00.

By unanimous consent, Mayor Cheshire opened the public hearings.

PUBLIC HEARING

(c) Public Hearing – Resolution 2023-007 Crystal Lake Vista Preliminary Plat – Myrtle Lake Avenue – Petitioner: Crystal Lake Land Holdings LLC

It now being the time advertised to hold a public hearing to consider the adoption of Resolution 2023-007, after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for interested parties to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING PRELIMINARY PLAT APPROVAL OF CRYSTAL LAKE VISTA GENERALLY LOCATED NORTH OF MYRTLE LAKE AVENUE, SOUTH OF PINE RIDGE DAIRY ROAD, AND WEST OF COUNTY ROAD 468, FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

After Mr. Rankin described the subject proposed preliminary plat and as a result of the number of letters previously sent to the surrounding property owners, he outlined the responses – return receipts, in opposition, non-deliverable, and concerns -- received in that regard, and relayed staff's recommendations of approval subject to approval from the city attorney, engineering and city commission of the proposed tree removal permit.

Later in the meeting, Mr. Carl Yauk, The Villages of Fruitland Park (VOFP) (Pine Hills) resident, referred to the preliminary plat showing Recreational Facilities,

Tract C and D designated as wetlands; questioned whether it is permissible to be used as such and inquired whether the subject property protruding on to Crystal Lake is part of the total acreage.

ACTION: 7:00:52 p.m. After discussion, a motion was made by Commissioner Gunter and seconded by Commissioner Mobilian that the city commission adopt aforementioned Resolution 2023-007 and accepted staff's recommendations as previously cited.

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.

- (d) **Public Hearing – Resolution 2023-006 Arbor Park Phases II and III Preliminary Plan – South of Urick St and East of CR 468 – Petitioner: S. Gupta**
It now being the time advertised to hold a public hearing to consider the adoption of Resolution 2023-006 and after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for interested parties to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING PRELIMINARY PLAN APPROVAL OF ARBOR PARK - PHASES TWO AND THREE GENERALLY LOCATED WEST OF U.S. HWY 27/441, EAST OF COUNTY ROAD 468, NORTH OF GRIFFIN ROAD AND SOUTH OF URICK STREET, FRUITLAND PARK, FLORIDA; AND PROVIDING FOR AN EFFECTIVE DATE.

After Mr. Rankin described the subject proposed preliminary plat (property formerly known as *Leesburg Fruit Company Inc.*); recognized -- as a result of the number of letters previously sent to the surrounding property owners – that no non deliverables, support or oppositions were received, he relayed staff's recommendations of approval subject to engineering approval.

Mr. Charles "Chuck" C. Hiott, Halff Associates, Inc. (consultants retained by the city), confirmed in response to Commissioner Gunter's inquiries that the subject issue is still consistent with the Preliminary (Plan) (Park Square Fruitland Park Phase 1 Plat Mixed Use) Planned Unit Development (PUD) that was previously approved (March 24, 2022).

After Commissioner Gunter pointed out the recent visit to the property (Rufus W. Holloway Jr. Family Trust, Holloway Properties Inc., and Leesburg Fruit Company Inc., owners) and relayed their intent to make the entire location on Phase 3, Tract A, (Olive Avenue and Urick Street) as a park., Mr. Hoitt recalled his appearance before the city commission (June 24, 2021) prior to the preliminary plan Phase 1

Plat 1; claimed that there were “kind of an agreement” when the petitioner moved the park from the northwest corner to the southwest corner of the property consistent with the PUD, and confirmed the requirements of the county.

Later in the meeting, and after Mr. Carl Yauk, VOFP (Pine Hills) resident, recognized Leesburg Electrical distributing electric energy to all properties within the City of Fruitland Park, he referred to the master plan’s overall site data showing power from Duke Energy.

Mr. Hiott confirmed in the affirmative that electricity would be from Duke Energy and part of the PUD would be from the City of Leesburg’s gas.

After much discussion and following Mr. La Venia’s suggestion to find out whether electricity is paid to Duke Energy and retroactively negotiate a franchise agreement in that regard, Commissioner Gunter recalled the December 13, 2007 workshop presentations including Sumter Electric Cooperative on electric municipalization (evaluating the franchise and considering the purchase of the electric distribution system from the City of Leesburg) which was subsequently declined due to costs and suggested reviewing the purchase of the Leesburg Electric Company and subcontracting same.

ACTION: 7:07:04 p.m. After discussion a motion was made by Commissioner Gunter and seconded by Commissioner Mobilian that the city commission adopt aforementioned Resolution 2023-007 and accept staff’s recommendations as previously cited.

By unanimous consent, Mayor Cheshire closed the public hearing.

Following further discussion and by unanimous consent, the city commission directed the city manager to report back on the franchise agreement with Duke Energy and the City of Leesburg at a future meeting.

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

(d) First Reading and Public Hearing - Ordinance 2023-001 Boundary Amendment (Annexation) - 19.10± Acres Multi-Family Medium – South of Urick Street and West of Thomas Avenue - Petitioner: Kimaya, LLC

After Ms. Geraci-Carver read into the record the following title of proposed Ordinance 2023-001, Mayor Cheshire called for interested parties to be heard:

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 19.10 ± ACRES OF LAND GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; 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.

After Mr. Carl Yauk, VOFP (Pine Hills) resident, referred to a study conducted by The Villages on 30,000 units to meet the projected needs by 2035 and questioned the need for the city to conduct same on 550 dwelling units to meet same, Mr. La Venia recognized the developed and platted units in the area since the study was conducted.

After Mr. Charles "Chuck" C. Hiott, Half Associates, Inc. (consultants retained by the city), requested that the subject ordinance; Ordinance 2023-002 under item 5.(e) and Ordinance 2023-003 under item 5.(f) be postponed date certain to February 9, 2023, Ms. Geraci-Carver concurred same to be acceptable.

ACTION: 7:21:51 p.m. By unanimous consent, Mayor Cheshire closed the public hearing.

On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission postponed its action to approve Ordinance 2023-001 to date certain February 9, 2023 at the applicant's request.

- (e) **First Reading and Public Hearing Ordinance 2023-002 SSCPA – 19.10± Acres Multi-Family Medium – South of Urick Street and West of Thomas Avenue - Petitioner: Kimaya, LLC**

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 URBAN HIGH DENSITY TO CITY MULTI-FAMILY MEDIUM DENSITY OF 19.10 +/- ACRES OF PROPERTY GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; 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.

ACTION: 7:21:51 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission postponed its action to approve Ordinance 2023-002 to date certain February 9, 2023 at the applicant's request.**

QUASI-JUDICIAL PUBLIC HEARING

- (g) **First Reading and Quasi-Judicial Public Hearing - Ordinance 2023-003 Rezoning - South of Urick Street and West of Thomas Avenue Petitioner: Kimaya, LLC**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 19.10 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) TO CITY OF FRUITLAND PARK R-10 WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF URICK STREET AND WEST OF THOMAS AVENUE; DIRECTING THE CITY MANAGER OR DESIGNEE TO HAVE AMENDED THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY, CONFLICTS AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 7:21:51 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission postponed its action to approve Ordinance 2023-003 to date certain February 9, 2023 at the applicant's request.**

- (h) **Second Reading and Quasi-Judicial Public Hearing – Ordinance 2022-019 PUD – Lake Ella Road and East of Rolling Acres Road – Petitioner: Daryl M. Carver, Trustee of Lake Eller Road Land Trust**

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2022-019, 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 158 +/- ACRES OF PROPERTY FROM PLANNED UNIT DEVELOPMENT TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD)

WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED SOUTH OF LAKE ELLA ROAD AND EAST OF ROLLING ACRES ROAD; APPROVING A MASTER DEVELOPMENT AGREEMENT; DIRECTING THE CITY MANAGER OR DESIGNEE TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; 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 September 22, 2022.)

After Mr. Rankin acknowledged the changes to the subject project since the first reading, Ms. Geraci-Carver cited the yellow highlights shown in the master development agreement under Recitals and noted Lake County's approval of the second paragraph before and subsequent paragraph after subsections 8.A-D.

Mr. Jimmy Crawford, Crawford, Modica & Holt, attorney representing the property owner, confirmed that Timbertop Road will not extend all the way when the subject project is complete; noted the county's long range transportation plan to designate same as a collector as design and build instead of a local roadway, and in recalling discussions at the September 22, 2022 regular meeting, confirmed Lake County Public Works' written acceptance with the traffic improvements and revised language relative to subsection 8.A-D.

Mr. Crawford referred to subsection 4.F., Minimum Living Area shown on the concept plan; requested that it be changed it to read: *Single family detached shall have a minimum living area of 1,432 square feet and single family attached (townhome) shall have a minimum living area of 1,400 square feet* and explained that a revised concept plan will be provided reflecting the change of 1,400 square feet.

Following Vice Mayor DeGrave's concerns on the description of a lanai and after Mr. Heath Rivers, Land Acquisition ResiBuilt, explained that 1,400 square feet is the model area which would be additional, Ms. Geraci-Carver suggested that provisions under subsection 4.F., would be revised to reflect . . . *1,500 square feet under air not screened in fully enclosed under heat and air conditioning, roof and trusses.*

In response to Commissioner Mobilian's earlier inquiry, Mr. Mohammed Abdallah, Traffic & Mobility Consultants LLC, representing the applicant, relayed conversations with the county on needed improvements where there is right-of-way and described the plan to add four-foot shoulders and lanes; turn lanes as access points, and standard two-lane road according to county standards, and the installation of traffic signals at Lake Ella Road and Rolling Acres Road near the subject property as shown in the MDA.

Later in the meeting, Mr. Carl Yauk, VOFP (Pine Hills) resident, cited the following where he believed there are more problems significant to the amount of traffic with the addition of homes:

- Traffic Impact Analysis from staff's report . . . *The revised analysis indicates that portions of Rolling Acres Road operate below adopted Levels of Service (LOS) and future conditions in 2025 indicate that Micro Racetrack Road will operate below adopted LOS standards. . . .*;
- Subsection 153.040 b)3) A), Issuance of Development Orders and Mitigation Procedures concurrency management system under the land development code . . . *No development order shall be approved unless a concurrency capacity report has been issued. . . .*; and
- Subsection 153.020 c), Minimum Requirements for Concurrency, . . . *In the case of roadway facilities, the facilities will be deemed concurrent if the necessary improvements are committed in the first three years of the applicable adopted Florida Department of Transportation Five Year Work Program, the Lake County Five Year Road Capital Improvement Program or the City of Fruitland Park Five Year Capital Improvement Program. . . .*

In response, Ms. Geraci-Carver explained that the county will be addressing said issues which will be implemented concurrently with the development.

ACTION: 7:24:46 p.m. After extensive discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission enact Ordinance 2022-019 as amended -- to include the changes as previously cited in the master development agreement -- to become effective immediately as provided by law.**

After lengthy 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.

END OF QUASI-JUDICIAL PUBLIC HEARING

END OF PUBLIC HEARING

- 8. (a) **City Manager**
 - i. **Economic Development Status Update**

Mr. La Venia did not give a status report on economic development.

ACTION: 7:48:38 p.m. No action was taken.

ii. **Friday Market**

After Mr. La Venia referred to the Orange Blossom Market Company’s proposal “Fruitland Park First Friday Market”, Ms. Yoder described the concept to sponsor same on the front lawn outside city hall between 10:00 a.m. to 2:00 p.m. first Friday of every month except for June, July and August (starting March to June on a trial basis) and explained that funds and approved vendors would be managed by Orange Blossom through her own insurance consistent with what the city charges other contractors.

Following some discussion, Ms. Geraci-Carver confirmed that she has no issues with the proposal and that she will prepare a contract in that regard.

ACTION: 7:48:38 p.m. By unanimous consent, the city commission accepted the proposal as presented by staff from Orange Blossom Market Company on a trial basis and agreed with the city attorney to prepare a contract to include the insurance and indemnification provisions.

iii. **Road Impact Fees**

Mr. La Venia indicated that the city does not charge for road impact fees; recognized the county’s road impact fees for different sections of the county, and compared the costs for development in City of Clermont to the City of Fruitland Park’s Unincorporated Area where the accumulation of same is supplanted for road improvements.

Mr. La Venia addressed the transportation impact fee categories with various rates in all impact fee benefit districts and believed that a joint letter from the Cities of Fruitland Park, Leesburg and the Town of Lady Lake ought to be sent to the Lake County Board of County Commissioners to consider road impact fees as a volume of revenue due to approved developments and construction costs within the respective jurisdictions.

In response, Ms. Geraci-Carver she would find out if the county has recently conducted an update to its transportation impact fee study from the data collected to support the construction numbers and impact fee established; recognized the previous request combined from the South Lake Cities that the county commission increases the impact fee amount set at a certain percentage instead of the higher number allowed by the study, and believed there could be capacity from the increased development and construction costs within the City of Fruitland Park which would boost what the impact fees would be before sending a letter to the county commission.

ACTION: 7:56:58 p.m. After discussion, and by unanimous consent, the city commission directed the city attorney to research Lake County’s transportation impact fee to determine whether there is capacity from increased development and construction costs to justify

the increase of said fees as a volume of revenue before writing a letter to the Lake County Board of County Commissioners.

(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: 8:05:47 p.m. No action was taken.

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

Ms. Geraci-Carver gave reasons why the January 19, 2023 mediation in the Michael and Laurie Fewless case was cancelled and that information is anticipated from insurance in that regard.

ACTION: 8:05:47 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 reported that a summary judgement motion hearing has been scheduled for March 9, 2023 on the U.S. Bank National Association v. Robert Moore case.

ACTION: 8:06:06 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.

ACTION: 8:06:22 p.m. No action was taken.

v. Fruitland Park Official City Code

Ms. Geraci-Carver reported that she sent to Ms. Julie Lovelace, CivicPlus Attorney, earlier this day responding to the outstanding items on the Muncicode codification manuscript; indicated that she is waiting for a few minor items -- one of which was responded to by Ms. Yoder prior to this evening's meeting and one anticipated from Ms. Sharon Williams, Community Development Department Administrative Manager -- where she will update Ms. Lovelace once the final three answers are received.

ACTION: 8:06:28 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 case.

ACTION: 8:05:47 p.m. No action was taken.

vii. ARPA

Ms. Geraci-Carver gave a report on available American Rescue Plan Act federal funds Lake County had to spend to purchase the CSX Railroad Right-of-Way (ROW), which she believes is not proceeding, and the county's decision to keep the ROW.

Ms. Geraci-Carver indicated that there may be additional ARGA funding available and for the city to reach out to the county to apply for some of those funds earmarked for utility projects.

ACTION: 8:07:07 p.m. No action was taken.

9. UNFINISHED BUSINESS

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

ACTION: 8:07:47 p.m. No action was taken.

10. PUBLIC COMMENTS

Mr. Carl Yauk, The Villages of Fruitland Park (Pine Hills resident), referred to the Orange Blossom's Friday Market. He questioned the traffic before the hours of setting up and afterwards together with the school traffic during peak times; parking with potentially additional traffic and the physical location, and whether Veterans' Park as a logic location was considered which has bathroom and play facilities; thus, the venue's potential to grow.

ACTION: 8:07:48 p.m. No action was taken.

11. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

Commissioner Mobilian had nothing to report at this time.

ACTION: 8:09:22 p.m. No action was taken.

(b) Commissioner Bell -

Commissioner Bell was absent from this evening's meeting.

ACTION: 8:09:24 p.m. No action was taken.

(c) **Commissioner Gunter, Jr.**

Commissioner Gunter had nothing to report at this time.

ACTION: 8:09:25 p.m. No action was taken.

(d) **Vice Mayor DeGrave**

Vice Mayor DeGrave had nothing to report at this time.

ACTION: 8:09:28 p.m. No action was taken.

12. **MAYOR'S COMMENTS**

(a) **President's Day**

Mayor Cheshire referred to a question posed by Commissioner Mobilian at the January 12, 2023 regular meeting on the costs to the city due to President's Day and any other city holiday to be \$6,500.

ACTION: 8:09:29 p.m. No action was taken.

(b) **Dates to Remember**

Mayor Cheshire announced the following events:

- 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 11, 2023 5k Love Run, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 a.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 – Lake Sumter Metropolitan Planning Organization, 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: 8:09:54 p.m. No action was taken.

13. **ADJOURNMENT**

The meeting adjourned at 8:10 p.m.

The minutes were approved at the February 9, 2023 regular meeting.

Signed _____
Esther B. Coulson, City Clerk, MMC

Signed _____
Chris Cheshire, Mayor

