

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
February 9, 2023**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, February 9, 2023, at 6:00 p.m.

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

**Also present:** City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce, Public Works Director Robb Dicus; Interim Community Development Director Michael “Mike” Rankin; Deputy Finance Director Gary Bachman; Lieutenant. Eddie Johnson and Firefighter John Pawlowski, Lake County Fire Rescue, Station 56; 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; Pastor Ben Spangler, Community United Methodist Church, gave the invocation and Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:00:07 p.m. No action was taken.

**2. ROLL CALL**

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

**3. CONSENT AGENDA**

**Approval of Minutes**

January 26, 2023 regular meeting

ACTION 6:02:24 p.m. **On motion made by Commissioner Mobilian, seconded by Commissioner Gunter and unanimously carried, the city commission approved the previously cited consent agenda.**

**4. LOCAL PLANNING AGENCY**

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

ACTION 6:02:40 p.m. **By unanimous consent, the city commission recessed its meeting at 6:03 p.m. to the local planning agency and reconvened at 6:06 p.m.**

**5. REGULAR AGENDA**

**(a) Resolution 2023-012 Soccer Field BT 2023-003 – FY 2022-23 Budget Amendment**

Ms. Geraci-Carver read into the record the following title of proposed Resolution 2023-012:

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 LAKE COUNTY SOCCER FIELD GRANT REVENUE BUDGET AND PUBLIC SOCCER FIELD EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

**ACTION:** 6:06:16 p.m. After discussion a motion was made by **Commissioner Gunter and seconded by Vice Mayor DeGrave that the city commission adopt Resolution 2023-012 as previously cited.**

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

**(b) Resolution 2023-013 Public Safety Building BT 2023-004 – FY 2022-23 Budget Amendment**

Ms. Geraci-Carver read into the record the following title of proposed Resolution 2023-013:

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 PUBLIC SAFETY IMPACT FEES REVENUE BUDGET AND PUBLIC SAFETY BUILDING EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

**ACTION:** 6:07:48 p.m. After discussion a motion was made by **Vice Mayor DeGrave and seconded by Commissioner Mobilian, that the city commission adopt Resolution 2023-013 as previously cited.**

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

**(c) Resolution 2023-014 Gazebo and Installation for Fruitland Park Community Center's Courtyard FY 2022-23 Budget Amendment**

Ms. Geraci-Carver read into the record the following title of proposed Resolution 2023-014:

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 REDEVELOPMENT FUND BALANCE REVENUE BUDGET

AND COMMUNITY CENTER IMPROVEMENTS EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

**ACTION:** 6:09:15 p.m. After discussion, a **motion was made by Commissioner Mobilian and seconded by Commissioner Gunter that the city commission adopt Resolution 2023-014 as previously cited.**

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

**(d) Resolution 2023-005 LPG Proposal**

Ms. Geraci-Carver read into the record the following title of proposed Resolution 2023-005:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING LPG URBAN & REGIONAL PLANNERS, LLC'S PROPOSAL FOR PROFESSIONAL CONSULTING SERVICES (2023-P) DATED JANUARY 31, 2023 FOR COMPREHENSIVE PLAN UPDATE IN AN AMOUNT NOT TO EXCEED \$40,000; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.

**ACTION:** 6:10:31 p.m. After much discussion, a **motion was made by Commissioner Mobilian and seconded by Commissioner Gunter, that the city commission adopt Resolution 2023-005 as previously cited.**

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

**PUBLIC HEARING**

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

**(e) First Reading and Public Hearing Ordinance 2023-005 Solid Waste Rate Increase**

After Ms. Geraci-Carver read into the record the title of proposed Ordinance 2023-005, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AN EXTENSION OF ITS SOLID WASTE COLLECTION FRANCHISE AGREEMENT WITH WASTE MANAGEMENT, INC. OF FLORIDA; ADOPTING RATES FOR THE PROVISION OF WASTE MANAGEMENT SERVICES TO THE RESIDENTS OF THE CITY OF FRUITLAND PARK; PROVIDING FOR

CONFLICTS AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on February 23, 2023.)

**ACTION:** 6:14:54 p.m. After discussion, a **motion was made by Commissioner Mobilian and seconded by Commissioner Gunter that the city commission approve Ordinance 2023-005 as previously cited.**

**There being no comments from the public 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.**

**(f) 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**

The city commission considered its action on proposed Ordinance 2023-001, the substance of which is as follows:

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. (Continued from January 26, 2023.)

**ACTION:** 6:17:38 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission continue its action on proposed Ordinance 2023-001, as opined by the city attorney, until the proper notice requirements in compliance with the statutory laws are met.**

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

The city commission considered its action on Ordinance 2023-002, the substance of which is as follows:

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: 6:18:03 p.m. On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission continue its action on proposed Ordinance 2023-002, as opined by the city attorney, until the proper notice requirements in compliance with the statutory laws are met.**

**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**

The city commission considered its action on Ordinance 2023-003, the substance of which is as follows:

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:** 6:18:29 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission continue its action on proposed Ordinance 2023-002, as opined by the city attorney, until the proper notice requirements in compliance with the statutory laws are met.**

**END OF QUASI-JUDICIAL PUBLIC HEARING**

**END OF PUBLIC HEARING**

- 6. (a) City Manager**
- i. Economic Development Status Update**  
Mr. Rankin stated that he had nothing to report on economic development.
- ACTION:** 6:18:54 p.m. No action was taken.
- (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:** 6:19:01 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 matter.
- ACTION:** 6:19:01 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**  
With respect to the U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845, Ms. Geraci-Carver relayed her conversations earlier this day with the foreclosure attorney (who is defending the city).

Ms. Geraci-Carver gave reasons why Mr. Moore was not served as he is deceased; indicated that an individual has been retained (the court-appointed a guardian ad litem) who found one heir, Mr. Moore's brother, and referred to the January 13, 2023 Order of Dismissal of Mr. Robert T.

Moore (identified as the mortgage holder and property owner) which the attorney believed the process was improperly carried out; thus, the attorney plans to contact the plaintiff(s)' counsel.

Ms. Geraci-Carver indicated that she does not know the outcome of the subject matter; recognized the city's interests that the funds, if any remains, could be earmarked towards the accrued fines; thus, the benefit for the property to be acquired by someone else, and addressed her intent to keep the city commission apprised.

ACTION: 6:19:01 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: 6:19:01 p.m. No action was taken.

**v. Code of Ordinances Codification**

Ms. Geraci-Carver had nothing to report on the code of ordinances codification.

ACTION: 6:19:01 p.m. No action was taken.

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

Ms. Geraci-Carver had nothing to report on the Kaitlyn Delong Case No. 2022-CA-00463.

ACTION: 6:19:01 p.m. No action was taken.

**7. UNFINISHED BUSINESS**

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

ACTION: 6:20:33 p.m. No action was taken.

**8. PUBLIC COMMENTS**

There were no comments from the public at this time.

ACTION: 6:20:34 p.m. No action was taken.

**9. COMMISSIONERS' COMMENTS**

**(a) Commissioner Mobilian**

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

ACTION: 6:20:57 p.m. No action was taken.

**(b) Commissioner Bell**

Commissioner Bell stated he will be attending the Lake County League of Cities' meeting on February 10 and the Lake County Parks, Recreation and Trails Advisory Board meeting on February 13, 2023.

ACTION: 6:21:01 p.m. No action was taken.

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

Commissioner Gunter referred to the recent construction of an access road on Urick Street within proximity of Fruitland Park Congregation Church.

ACTION: 6:22:02 p.m. No action was taken.

**(d) Vice Mayor DeGrave**

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

ACTION: 6:22:57 p.m. No action was taken.

**10. MAYOR'S COMMENTS**

**(a) Dates to Remember**

Mayor Cheshire announced the following events:

- February 10, 2023, LCLC, TBD, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida at noon;
- February 11, 2023, 5k Love Run, Fruitland Park Community Center, 205 West Beckman Street, Fruitland Park, Florida 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 at 3:30 p.m.;
- February 17, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida at 8:00 p.m.;
- February 22, 2023, Lake~Sumter Metropolitan Planning Organization, Governing Board Meeting, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida at 2:00 p.m.;
- February 23, 2023, City Commission regular meeting at 6:00 p.m.
- March 4, 2023, Family Camp-Out, Cales Memorial Multipurpose Soccer Field Recreation Complex, 300 Shiloh Street, Fruitland Park, Florida at 5:00 p.m.;
- March 17, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida at 8:00 p.m.;
- March 23, 2023, City Commission regular meeting at 6:00 p.m.;



- March 25, 2023, Fruitland Park Day with BBQ Cook Off, Berckman Street, Fruitland Park, Florida at 10:00 a.m.

ACTION: 6:23:02 p.m. No action was taken.

**(b) Body Camera**

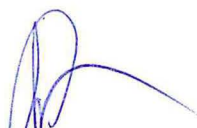
Upon Mayor Cheshire's request, Chief Luce described the new and recently purchased body camera that he is wearing (contracted with Axon Enterprise Inc.); reported on the police department training held earlier this day and relayed that it was well received by the department.


ACTION: 6:23:41 p.m. No action was taken.


**11. ADJOURNMENT**

The meeting adjourned at 6:27 p.m.

The minutes were approved at the February 23, 2023, regular meeting.

Signed   
\_\_\_\_\_  
Esther B. Coulson, City Clerk, MMC

Signed   
\_\_\_\_\_  
Chris Cheshire, Mayor



The seal is circular with a double-line border. The outer ring contains the text "City of Fruitland Park, Lake County, Florida" at the top and "Incorporated 1982" at the bottom. The center of the seal features the words "Official Seal" in a stylized font.