

**FRUITLAND PARK CITY COMMISSION  
REGULAR MEETING AGENDA**

**February 9, 2023**

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 – Pastor Kelly Smith, Community United Methodist Church

Pledge of Allegiance – Chief Luce

**2. ROLL CALL**

**3. 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.

**Approval of Minutes** (city clerk)

January 26, 2023 regular

**4. LOCAL PLANNING AGENCY**

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

**5. REGULAR AGENDA**

**(a) Resolution 2023-012 Soccer Field BT 2023-003 - FY 2022-23  
Budget Amendment** (city attorney/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 LAKE COUNTY SOCCER FIELD GRANT REVENUE BUDGET AND PUBLIC SOCCER FIELD EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

**(b) Resolution 2023-013 Public Safety Building BT2023 004 -  
FY 2022-23 Budget Amendment** (city attorney/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

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

- (c) **Resolution 2023-014 Gazebo and Installation for Fruitland Park Community Center's Courtyard FY 2022-23 Budget Amendment** (city attorney/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 TRANSFER IN FROM REDEVELOPMENT FUND BALANCE REVENUE BUDGET AND COMMUNITY CENTER IMPROVEMENTS EXPENSE BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

- (d) **Resolution 2023-005 – LPG Proposal** (city attorney/city manager)

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 UPDATES IN AN AMOUNT NOT TO EXCEED \$40,000; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.

#### **PUBLIC HEARING**

- (e) **First Reading and Public Hearing Ordinance 2023-005 Solid Waste Rates Increase** (city attorney/city treasurer)

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.)

- (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** (city attorney/city manager/community development)

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. (Postponed from January 26, 2023.)

- (g) **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** (city attorney/city manager/community development)

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. (Postponed from January 26, 2023.)

**QUASI-JUDICIAL PUBLIC HEARING**

- (h) First Reading and Quasi-Judicial Public Hearing - Ordinance 2023-003 Rezoning - South of Urick Street and West of Thomas Avenue Petitioner: Kimaya, LLC** (city attorney/city manager/community development)

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. (Postponed from January 26, 2023.)

**END OF QUASI-JUDICIAL PUBLIC HEARING**

**END OF PUBLIC HEARING**

- 6. (a) City Manager - Economic Development Status Update**
- (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. Code of Ordinances Codification**
  - vi. Kaitlin Delong vs. City of Fruitland Park, Lake County Case No. 2022-CA-00463:**

**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**

- February 10, 2023, Lake County League of Cities, *Tallahassee Legislative Update*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 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 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.;

- 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 9, 2023, City Commission regular at 6:00 p.m.;
- March 17, 2023, Comedy Night, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- March 23, 2023, City Commission regular at 6:00 p.m.;
- March 25, 2023, Fruitland Park Day with BBQ Cook Off, Berckman Street, Fruitland Park, Florida 34731 at 10:00 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**