

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
April 13, 2023**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, April 13, 2023, at 6:00 p.m.

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

(Commissioner Chris Bell entered the meeting room as reflected in the minutes of this meeting.)

Also present: Gary La Venia City Manager; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce, Captain Henry Rains, Police Department; Human Resources Director Betty McHale; Deputy City Clerk Candice Dennis; Michael “Mike” Rankin, Interim Community Development Director, LPG Urban & Regional Planners Inc. (consultant retained by the city); Lake County Fire Rescue Lieutenant Doug Draper, and City Clerk Esther B. Coulson.

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

Mayor Cheshire called the meeting to order, Reverend Dr. Pastor George A Mulford III, Grace Bible Baptist Church, gave the invocation and Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:01:02 p.m. No action was taken.

2. ROLL CALL

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

ACTION: 6:02:40 p.m. No action was taken.

(Commissioner Bell entered the meeting room during the following item.)

3. SPECIAL PRESENTATIONS

i. 2022 *Officer of the Year* Award

ii. New Police Officer Introductions

iii. Educational Recognitions

Chief Luce highlighted and recognized the following law enforcement officers’ services and contributions to the city:

- Detective Sergeant Brian Hilberer’s recent promotion; graduation from the University of Louisville’s Southern Police Institute 91st Command Officers Development Course, and service with the city’s criminal investigations unit;

- Sergeant Brad Heidt's initial role as road patrol officer; K-9 handler, criminal investigation department (CID) detective and service with traffic homicide and bicycle units; recent promotion (recommended by the multi-jurisdictional promotional board) where he serves as the department's delta shift road patrol sergeant, and his supervision with the K-9 program;
- K-9 Officer Anthony Buehler's nomination from the department where he was presented with a plaque *Fruitland Park Police Department Officer Anthony Buehler 2022 Officer of the Year* and a badge commemorating him as senior officer;
- Senior Officer David W. Hoover (who joined the department on February 17, 2020) who will be leaving to work for the City of Eustis;
- Officer Natasha Wildeman-Stuart's recent certification in traffic homicide investigations who was commemorated with a badge recognizing her with the rank of senior officer;
- Officer Gina Poesie's willingness for protecting and guiding the students;
- Officer Melody Coe's readiness in fulfilling the department's shift coverages as well as her reliance in assisting citizens;
- Officer Gavin Heffler's attendance at city-related events and his assistance with the parks and recreation program where he volunteers as coach;
- Officer Anthony Bunn's life, background and educational experience to assist the department and serve the community;
- Officer Kaleigh Richetti's completion of the department's field training program;
- Officer Austin Williams' background experience, knowledge and skills;
- Officer Breanna Allen's eagerness to learn;
- Senior Officer Jimmy Tessa, joined the city February 3, 2020 on his performance, and
- Senior Officer Courtney Corman's previous recognition as *2020 Officer of the Year*; her role in CID, and promotion to detective.

ACTION: 6:03:01: p.m. The city commission congratulated the law enforcement officers on their accomplishments.

4. CONSENT AGENDA

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

- (a) **Approval of Minutes**
March 23, 2023 regular meeting minutes.
- (b) **Resolution 2023-024 Lemon Street Baffle Box Construction – LCWA 2023 Stormwater Grant Program Agreement**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE LAKE COUNTY WATER AUTHORITY 2023 STORMWATER GRANT PROGRAM AGREEMENT TO FUND CITY OF FRUITLAND PARK LEMON STREET BAFFLE BOX CONSTRUCTION; AUTHORIZING THE MAYOR TO SIGN THE GRANT PROGRAM AGREEMENT; PROVIDING ASSURANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

- (c) **Resolution 2023-025 Provision of Library Services Am. ILA**
A RESOLUTION OF THE CITY COMMISSIONERS OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, APPROVING AMENDMENT TO AGREEMENT RELATING TO PROVISION OF LIBRARY SERVICES; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:28:52 p.m. **On motion of Commissioner Gunter, seconded by Commissioner Mobilian and unanimously carried, the city commission approved the consent agenda as previously cited.**

- 5. **Resolution 2023-026 Settlement Agreement and Release – Fewless v. City of Fruitland Park**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE SETTLEMENT AGREEMENT AND RELEASE BETWEEN MICHAEL FEWLESS AND LAURIE FEWLESS, THE CITY OF FRUITLAND PARK, FLORIDA AND PREFERRED GOVERNMENTAL CLAIMS SOLUTIONS; RATIFYING EXECUTION OF THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:22:15 p.m. After Ms. Geraci-Carver reviewed the subject issue; relayed the recommendation of approval ratifying Mayor Cheshire’s signature and indicated that the insurance company will be paying for the settlement proceeds of \$82,500, **a motion was made by Commissioner Bell and seconded by Commissioner Gunter that the city commission adopt Resolution 2023-026 as previously cited.**

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

6. (a) City Manager

i. Economic Development Status Update

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

ACTION: 6:24:34 p.m. No action was taken.

ii. Commercial Developments Permits Issued Status Update

Later in the meeting and after Mr. Rankin reviewed the proposed planned unit development (PUD) map for commercial and residential properties and the proposed development projects, he addressed his plan, in response to a question posed by Mayor Cheshire, to provide a report on the PUD where the map shows Miller Road (CR 466A) and Oliver Lane.

ACTION: 6:24:34 and 6:37:34 p.m. No action was taken.

iii. 2020 Census (City Redistricting Map) Status Update

Based on the United States Census Bureau data 2018 estimate, Mr. Rankin reviewed the populations shown in the 2018 adopted city commission political district and boundaries map. He compared the growth and percentages of same with the 2020 official population estimate and projected voting districts (options 11-A and 11-B) draft maps, and recognized the redrawing of district boundaries to be as nearly equal in population as possible; according to the proposed PUDs listed for commercial and residential properties with the projected growth which would determine how the comprehensive plan would be developed with the land development regulations (LDRs). Copies of the respective documents are filed with the supplemental papers to the minutes of this meeting.

After discussion, Ms. Geraci-Carver recognized that the city is not obligated to adjust its boundaries. She addressed the need to redistrict every ten years after the (2020) census and adopt same 12 months after the census document becomes available; mentioned her intent to review the directions under the city's charter (subsection 3.17., city commission districts and redistricting) and the code (General Election Charter Amendment Composition, Election and Terms Ordinance 2014-017), and pointed out the changes on proposed Local Redistricting House Bill 7069 to take effect July 1, 2023. Ms. Geraci-Carver suggested that the city commission ought to make reasonable adjustments to the district boundaries, if there are differences in numbers from the highest to the lowest above or below the population of 300.

ACTION: 6:24:34 p.m. and No action was taken.

(b) City Attorney

i. City of Fruitland Park v. State of Florida Department of Management Services

Ms. Geraci-Carver gave a report on the State of Florida Department of Management Services under Agenda Item 6. (b) ii.

ACTION: 7:02:17 p.m. No action was taken.

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

Ms. Geraci-Carver reported the Michael and Laurie Fewless case has settled; however, she reported that the Florida Retirement System portion is pending and anticipated receiving an update on same.

ACTION: 7:02:17 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 More Lake County Case No. 2022-CA-00845.

ACTION: 7:02:17 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 reported on the current discovery for the Wayne Goodridge and Tammy Goodridge Lake County Case No. 2022-CA-1628 and referred to the plaintiff's responses to the city, which are currently being reviewed by the respective attorneys.

ACTION: 7:02:42 p.m. No action was taken.

v. Fruitland Park Official City Code

Ms. Geraci-Carver addressed the official city code under Agenda Item 6. (b) vi.

ACTION: 6:58:17 p.m. No action was taken.

vi. LDR Codification

With reference to the master development agreements (MDAs), Ms. Geraci-Carver referred to the requirements under the land development regulations for land within the PUD with the execution of said MDAs and pointed out the provisions on their expiration which she believes is discretionary with the city commission.

Ms. Geraci-Carver addressed the following:

- Landscape Buffer - The community redevelopment agency's previous discussion for a uniform 25' landscape buffer along CR 466A and LPG Urban & Regional Planners' diagram on same with some suggestions to be considered at a future Planning and Zoning (P&Z) Board and city commission meetings.
- Building Height – The review and preparation of a comprehensive plan amendment and a draft ordinance on design standards, maximum intensity standard, and site development standard with provisions under the LDR where most of the building heights are at a maximum of 35' (unless the city commission allows to build higher for adequate fire protection).

The intent to add language on the number of stories to no more than three (recognizing the restrictions where there can no longer be, as it relates to density, building height and placement for affordable housing under the definition of Florida Statutes which, according to Ms. Sherie Lindh, LPG Urban & Regional Planners Inc., that if adopted, would become effective July 1, 2023) and the plan to consider same before the P&Z in May and the city commission in June 2023 before final adoption; and the subsequent submittal of the comprehensive plan to the state.

With respect to the LDR codification and different from the city's official code, Ms. Geraci-Carver announced that the present LDRs is currently available online in redline format and anticipated that a clean version would subsequently be posted.

- **Greenspace Requirements**

Later in the meeting and with respect to the LDRs, Mayor Cheshire referred to the city commission's consensus, at its March 9, 2023 meeting on greenspace requirements.

After Vice Mayor DeGrave recalled, in response to Ms. Geraci-Carver's inquiry, the setting aside of same for stormwater retention and greenspace buffer around the perimeter of the property, after much discussion, the city commission accepted the concept where she agreed to work on same and provide a report.

- **Multi-Family Dwelling Units Distance Requirements**

After Mr. La Venia addressed the multi-family dwelling units distance requirements map, Mr. Rankin recalled his recent review of the multi-family proposed map prepared by LPG Urban & Regional Planners.

- **Impact Fees**

Ms. Geraci-Carver reported that the Lake County Board of County Commissioners was reviewing and has considered the establishment of new rates for (the library, parks, fire rescue, and transportation) impact fees percentage which did not pass (was postponed).

ACTION: 6:58:17 p.m. and 7:03:00 p.m. No action was taken.

- vii. 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 No. 2022-CA-00463 at this time.

ACTION: 7:02:17 p.m. No action was taken.

7. UNFINISHED BUSINESS

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

ACTION: 7:15:14 p.m. No action was taken.

8. PUBLIC COMMENTS

Mr. Carl Yauk, The Villages of Fruitland Park (Pine Hills) resident, thanked Mr. Rankin for the presenting the 2020 Census (City Redistricting Map) earlier on this evening's agenda. He referred to the planning process noting that if all the projects come to fruition with imminent development, that a metro or large community park would be a stimulus and attraction to the community which he believes that the city commission ought to consider.

After Mr. La Venia, in agreement, acknowledged the county's investment in various areas in Lake County that regard, Commissioner Bell addressed the advocacy of same and recognized the .8± acres Northwest Lake Community Park which is classified as a community park which, by definition, ought to be 25 acres.

ACTION: 7:15:15 p.m. No action was taken.

9. COMMISSIONERS' COMMENTS

- (a) Commissioner Mobilian - Litter**

Later in the meeting and after Commissioner Mobilian voiced his concerns on the massive litter problem that exists along the CR 466 A corridor to Sumter-County line, Mr. La Venia recognized the city's continued maintenance of the median on the county's roadway which is the responsibility of the county.

ACTION: 7:22:50 p.m. No action was taken.

(b) Commissioner Bell

Commissioner Bell had no business to report at this time.

ACTION: 7:19:38 p.m. No action was taken.

(c) Commissioner Gunter – Safe Routes to Schools Grant

Commissioner Gunter referred to his recent discussions with Mr. La Venia that due to the new construction of the elementary school, he addressed the need to initiate and review the Safe Routes to Schools Program (the State of Florida Department of Transportation grant) especially for sidewalks for the area.

After discussion, Mayor Cheshire noted the date to receive grant applications no later than January 31, 2023 had passed and suggested contacting District 2 School Board Member Tyler Brandenburg in that regard.

ACTION: 7:20:31 p.m. No action was taken.

(d) Vice Mayor DeGrave

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

ACTION: 7:21:56 p.m. No action was taken.

10. MAYOR'S COMMENTS

(a) Cleanup Event

After Mayor Cheshire referred to the April 6, 2023 email from Ms. Veronica Dau, Lake County Public Works Environmental Services and cited her conversations with Ms. Maryann Krisovitch, Surface Water Professionals (consultant retained by the city), on planning a Litter Cleanup Event with Keep Lake Beautiful and the available dates of May 13, and June 3, 2023, he recalled the annual event previously undertaken by the city.

In response, Mr. La Venia addressed his intent to notify Ms. Michelle Yoder, Parks and Recreation Director, of said email. (A copy of the email is filed with the supplemental papers to the minutes of this meeting.)

ACTION: 7:22:01 p.m. No action was taken.

(b) Dates to Remember

Mayor Cheshire recognized the following events:

- April 14, 2023, *State of Elections*, Lake County League of Cities, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 p.m.;
- April 15, 2023, Community Yard Sale, Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 a.m.;

April 13, 2023 regular meeting

- April 21, 2023, Comedy Night, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- April 21-23, 2023 The Mark Wandall Foundation's Annual Comfort Zone Camp Program, Warren Willis Retreat Center, 4990 Picciola Road, (Unincorporated) Fruitland Park, Florida 34731 The Mark Wandall Foundation's Annual Comfort Zone Camp Program | City of Fruitland Park Florida
- April 26, 2023, Lake~Sumter Metropolitan Planning Organization, Governing Board Meeting, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida at 2:00 p.m.;
- April 27, 2023, City Commission regular at 6:00 p.m.;
- April 28, 2023, Cornhole Tournament, Gardenia Park, 205 West Berckman Street, Fruitland Park, Florida 34731 at 7:00 p.m.;

ACTION: 7:23:40 p.m. No action was taken.

11. ADJOURNMENT

The meeting adjourned at 7:24 p.m.

The minutes were approved at the May 11, 2023, regular meeting.



Signed
Esther B. Coulson, City Clerk, MMC

Signed
Chris Cheshire, Mayor