

**FRUITLAND PARK CITY COMMISSION  
REGULAR MEETING AGENDA**

**May 11, 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 – Commander Larry Miller, American Legion (John Gella Memorial) Post 219

Pledge of Allegiance – Police Chief Erik Luce

**2. ROLL CALL**

**3. SPECIAL PRESENTATIONS**

(a) **National Teacher Appreciation Day (Tuesday, May 2, 2023) and Teacher Appreciation Week (May 7-13, 2023) Proclamation** (city clerk)

i. **Ms. Ellen Frazier Miller, Third Grade Teacher**  
*Teacher of the Year*

ii. **Ms. Alexis Barnes, Second Grade Teacher**  
*Rookie Teacher of the Year*

(b) **National Library Week (April 23-29, 2023) Proclamation** (city clerk)

(c) **Check Donation Presentation – March 25, 2023 Dave Robey Memorial Vetfest Event** (city manager/police chief)  
Commander Larry Miller, American Legion (John Gella Memorial) Post 219.

**4. 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.

(a) **Approval of Minutes** (city clerk)  
April 13, 2023

- (b) **Resolution 2023-029 – Change Order 1 – Addendum 1 to Master Services Agreement No. 19831 – MCCi LLC** (city attorney/city manager/city clerk)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CHANGE ORDER NUMBER 01 TO ADDENDUM NO. 1 TO MASTER SERVICES AGREEMENT NO. 19831 BETWEEN MCCi LLC AND CITY OF FRUITLAND PARK, FLORIDA RESULTING IN A CREDIT TO THE CITY IN THE AMOUNT OF \$8,000.00; AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT; PROVIDING FOR AN EFFECTIVE DATE.

- (c) **Resolution 2023-020 Utility Easement Public Works Building** (city attorney/city manager/public works director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, TO APPROVE THE PERMANENT UNDERGROUND UTILITY AGREEMENT FROM THE CITY OF FRUITLAND PARK IN FAVOR OF THE CITY OF LEESBURG, FLORIDA TO PROVIDE ELECTRIC SERVICE TO THE PUBLIC WORK'S BUILDING; AUTHORIZING THE MAYOR TO SIGN THE EASEMENT; PROVIDING FOR AN EFFECTIVE DATE

## 5. REGULAR AGENDA

- (a) **Resolution 2023-016 Urick Street Force Main Extension Project Contract Change #2 – Cathcart Construction Company Florida LLC, Oviedo** (city attorney/city manager/public works director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CHANGE ORDER NO. 2 THAT INCLUDES A THREE-DAY EXTENSION TO CONSTRUCTION TIME AND INCREASE OF \$13,111 IN THE CONTRACT PRICE REQUESTED BY CATHCART CONSTRUCTION COMPANY FLORIDA LLC, OVIEDO; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY REQUIRED APPROVAL; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from February 23, 2023 regular meeting.)

- (b) **Resolution 2023-030 Public Works A1A CO 4 PR 1 Cost Change Order – New Public Works Building – Revisions to Civil Drawings** (city attorney/city manager/public works director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CHANGE ORDER NO. 4 TO THE EJCDC STANDARD

FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR ON THE BASIS OF A STIPULATED PRICE BETWEEN THE CITY OF FRUITLAND PARK AND GSB CONSTRUCTION & DEVELOPMENT, INC. TO PROVIDE FOR AN INCREASE OF \$835.29 IN THE STIPULATED SUM; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER; PROVIDING FOR AN EFFECTIVE DATE.

**(c) Resolution 2023-031 – CDBG Program FYs 2023-24-2025-26 – Lake County** (city attorney/city manager)

A RESOLUTION OF THE CITY OF FRUITLAND PARK, FLORIDA, PERTAINING TO THE URBAN COUNTY COOPERATION AGREEMENT RELATING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM; PROVIDING FOR APPROVAL OF AGREEMENT AND AUTHORIZATION TO EXECUTE; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

**(d) Resolution 2023-032 School Resource Officer Program – 2023-2024** (city attorney/city treasurer/city manager/police chief)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE AGREEMENT BETWEEN THE SCHOOL BOARD OF LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK, FLORIDA FOR SCHOOL RESOURCE OFFICER PROGRAM [2023-2024]; PROVIDING FOR AN EFFECTIVE DATE.

**PUBLIC HEARING**

**(e) Resolution 2023-027 – Preliminary Plan Rolling Acres at Lake Ella – Petitioner: Resibuilt Homes LLC** (city attorney/city manager/community development)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING PRELIMINARY PLAN APPROVAL OF ROLLING ACRES AT LAKE ELLA GENERALLY LOCATED SOUTH OF LAKE ELLA ROAD AND EAST OF ROLLING ACRES ROAD, FRUITLAND PARK, FLORIDA; PROVIDING FOR

CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

- (f) **Public Hearing - Resolution 2023-028 Major Site Plan Approval – Veterinary Emergency Clinic – CR 466A** (city attorney/city manager/community development)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING MAJOR SITE PLAN APPROVAL WITH CONDITIONS TO ALLOW FOR CONSTRUCTION OF A ,850 SF VETERINARY EMERGENCY CLINIC TO BE LOCATED ON LOT 4 OF THE VILLAGE PARK COMMERCIAL SUBDIVISION ON CR 466A; PROVIDING FOR CONDITIONS; AUTHORIZING THE CITY MANAGER TO ISSUE A NOTICE OF SITE PLAN APPROVAL UPON COMPLETION OF ALL CONDITIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

- (g) **Second 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. (The first reading was held on March 9, 2023.)

- (h) **Second 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. (The first reading was held on March 9, 2023.)

**QUASI-JUDICIAL PUBLIC HEARING**

- (i) **Second 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. (The first reading was held on March 9, 2023.)

**END OF QUASI-JUDICIAL PUBLIC HEARING**

**END OF PUBLIC HEARING**

- 6. (a) City Manager**
  - i. Economic Development Status Update**
  - ii. Commercial Developments Permits Issued Status Update**
- (b) City Attorney**
  - i. U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845**
  - ii. Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-1628**
  - iii. Code of Ordinances – Codification**
  - iv. LDR Codification**
  - v. 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**

- May 12, 2023, Lake County League of Cities *Legislative Update*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, FL 32757 at noon;
- May 17, 2023 Lake 100 *34<sup>th</sup> Annual Lake County Community Service Awards Banquet*, The Venetian Center, 1 Dozier Circle, Leesburg, Florida 34748 at 6:00 p.m.;
- May 19, 2023, Comedy Night, Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 8:00 p.m.;
- May 20, 2023, *Ribbon Cutting Ceremony for Ashley's Cottage*, 36240 E Spring Lake Boulevard, Fruitland Park, Florida 34731 at 11:00 a.m., and
- May 25, 2023, City Commission regular at 6:00 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 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 MOD**