

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
May 25, 2023**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, May 25, 2023, at 6:00 p.m.

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

**Member Absent:** Commissioner Chris Bell

**Also Present:** Gary La Venia City Manager; City Attorney Anita Geraci-Carver; City Treasurer Jeannine Racine; Police Chief Erik Luce; Public Works Director Robb Dicus, Human Resources Director Betty McHale; Deputy Finance Director Gary Bachmann; Lake County Fire Rescue Firefighter/Paramedic John Piloncillo and Firefighter Binana Jefferson, and City Clerk Esther B. Coulson.

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

Mayor Cheshire called the meeting to order, Pastor Brian Broome, Heritage Community Church, gave the invocation and Chief Luce led in the pledge of allegiance to the flag.

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

**2. ROLL CALL**

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

Mayor Cheshire recognized on this evening's agenda the change to Item 4.(b), Resolution 2023-033, to include the addendum, Chapter 119 Florida Public Records law as recommended by the city attorney.

ACTION: 6:00:40 p.m. Upon Mayor Cheshire's suggestion and **by unanimous consent, the city commission accepted the previously cited change to this evening's agenda.**

**3. SPECIAL PRESENTATION - Lake County Public Safety Department, Office of Fire Rescue**

Mr. David Kilbury, Lake County Public Safety Department, Office of Fire Rescue, Fire Chief/Director, pointed out his recent conversation in meeting with Mr. La Venia; gave a background of his education and extensive experience, and addressed his desire to make improvements to the office. Mr. Kilbury pledged his commitment and availability together with staff to work with the city and serve the public.

ACTION: 6:00:35 p.m. No action was taken.

**4. CONSENT AGENDA**

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

(a) **Approval of Minutes**  
May 11, 2023 regular meeting minutes.

(b) **Resolution 2023-033 – ATM Library**  
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AUTHORIZING THE PLACEMENT OF AN ATM AT THE FRUITLAND PARK LIBRARY BY ANTE UP ENTERTAINMENT INC. AT NO COST TO THE CITY OF FRUITLAND PARK AND AT THE VENDOR'S SOLE RISK AND LIABILITY; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:04:02 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Mobilian, and unanimously carried, the city commission approved the consent agenda as previously cited.** (The addendum, Chapter 119 Florida Public Records law previously accepted as a change to the agenda was included.)

**5. REGULAR AGENDA**

(a) **December 2022 Financial Report**  
Mr. Bachman reviewed the December 2022 financial report.

ACTION: 6:04:26 p.m. No action was taken.

**PUBLIC HEARING**

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

(b) **Public Hearing - Resolution 2023-028 Major Site Plan Approval – Veterinary Emergency Clinic – CR 466A – Petitioner: James Martin, Villages VEC**  
It now being the time advertised to hold a public hearing to consider the adoption of proposed Resolution 2023-028, Ms. Geraci-Carver read the following title and Mayor Cheshire called for interested parties to be heard:

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 9,850 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.

Mr. La Venia addressed the subject issue that was adopted at the May 11, 2023 regular meeting. He recognized that Lake County was to erect sidewalks as part of the CR 466A roadway improvement project and pointed out Vice Mayor DeGrave's recognition of monument (identification) signs along said roadway which may be an issue with the sidewalk to which Ms. Geraci-Carver interjected that same could be based as a conditional approval that the signs be relocated.

Additionally, Ms. Geraci-Carver concurred in the affirmative to Mr. La Venia's recommendation on the county's installation of the sidewalk (with location determined by the city); that the landscaping plan includes nine 12' live oak; 1.5" caliper, and eight 8' to 10' holly trees with a linear footage along the roadway of 228.97 where the buffer features shrubs, and that the stormwater be specific to the whole parcel.

**ACTION:** 6:07:28 p.m. After further discussion, a motion was made by Vice Mayor DeGrave and seconded by Commissioner Gunter that the city commission approve amending the adopted Resolution 2023-028, as previously cited, to include the provisions, accepted by the city attorney, to construct and install sidewalks along the CR 466A no later than the completion of the roadway expansion by Lake County or the petitioner and require the property owner to relocate the monument signs; if it interferes with the CR 466A roadway improvement expansion and the sidewalk.

After discussion, and by unanimous consent, the city commission directed staff to work on incorporating the aforementioned landscaping plan as a benchmark in the land development regulations.

There being no one 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.

**END OF PUBLIC HEARING**

6. (a) City Manager

i. Economic Development Status Update

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

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

- ii. **Commercial Developments Permits Issued Status Update**  
Earlier in the meeting, Mr. La Venia identified the impending and existing development projects.

ACTION: 6:17:26. p.m. No action was taken.

- iii. **Law Enforcement Dispatch Services - Lake County Sheriff's Office**  
Mr. La Venia referred to the May 24, 2023 letter from Major Glen Hall, Lake County Sheriff's Office (LCSO), regarding the cost of \$103,380 for its annual contract to provide dispatch services for the city and the basis on which same was calculated; a copy of which is filed with the supplemental papers to the minutes of this meeting.

After concerns were expressed on the city's obligation to pay for dispatch services (not budgeted for the next cycle, without advance notice, or no negotiations held) and following Chief Luce's explanation that a contract would be forthcoming, Ms. Geraci-Carver mentioned her plan to contact LCSO's General Counsel Derek A. Schroth, Bowen Schroth, and report back to the city commission at its June 22, 2023 regular meeting.

ACTION: 6:19:13 p.m. No action was taken.

(b) **City Attorney**

- i. **U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845**

Ms. Geraci-Carver gave a report on the U.S. Bank National Association v. Robert More Lake County Case No. 2022-CA-00845, where the property was sold on May 23, 2023 for \$81,869.70 to J L H Properties LLC; compared the difference between the sales price; the post and final judgement costs, and the remainder and excess funds that the city could apply for to cover the lien, and acknowledged the new property owner bringing the property into compliance.

ACTION: 6:29:49 p.m. No action was taken.

- ii. **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 Lake County Case No. 2022-CA-1628.

ACTION: 6:29:49 p.m. No action was taken.

- iii. **Fruitland Park Official City Code**

Ms. Geraci-Carver had nothing to report on the city code.

ACTION: 6:29:49 p.m. No action was taken.

**iv. LDR Codification**

Ms. Geraci-Carver referred to her memorandum dated May 25, 2023 regarding the land development regulation (LDR) revisions; referenced the city commission's direction at its previous meetings on same, and pointed out the May 23, 2023 meeting she had with staff regarding the changes to be made to the LDR codification. (A copy of the memorandum is filed with the supplemental papers to the minutes of this meeting.)

Ms. Geraci-Carver addressed the plan to proceed with changes approved by the city commission as well as those made by the 2023 Florida Legislature and subsequently complete the city's overall comprehensive plan changes being worked on by LPG Urban Regional Planners Inc. (consultant retained by the city).

**ACTION: 6:27:17 p.m. After discussion and by unanimous consent, the city commission accepted Mayor Cheshire's suggestion directing the city attorney to include a provision in the Land Development Regulations as part of the commercial design standards, commercial buildings and multi-family dwellings with vinyl sidings and provide a report back to the city commission on same.**

**v. 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: 6:29:49 p.m. No action was taken.**

**vi. 2022 Form Instructions**

Ms. Geraci-Carver referred to the 2022 Form 6 Instructions Full and Public Disclosure of Financial Interests (as a result of Ethics Requirements for Public Officials House Bill 37 Senate Bill 774, Financial Disclosure) which is required to be completed and filed electronically. (Copies of the respective documents are filed with the supplemental papers to the minutes of this meeting.)

**ACTION: 6:27:17 p.m. and 6:28:52 p.m. No action was taken.**

**7. UNFINISHED BUSINESS - Ordinance 2023-001 Boundary Amendment (Annexation) - 19.10± Acres Multi-Family Medium – South of Urick Street and West of Thomas Avenue - Petitioner: Kimaya, LLC**

Earlier in the meeting, Ms. Geraci-Carver referred to the subject project and the related master development agreement (MDA) which was to be contingent upon the passage of Annexation Ordinance 2023-001, Ordinance 2023-002 Small-Scale Comprehensive Plan Amendment and Ordinance 2023-003 Rezoning from the petitioner Kimaya, LLC at the

May 11, 2023 public hearing. She pointed out the conceptual plan; referred to the impasse reached on the provisions outlined in the MDA, and relayed the petitioner's request to reappear before the city commission at a future meeting.

After Mayor Cheshire recognized the provisions under subsection 152.040(d), reapplication for denied rezoning under the LDRs, Ms. Geraci-Carver verified the city commission's denial of the subject ordinances at the March 9 first reading and explained that the execution of the MDA was contingent upon the approval at the May 11, 2023 second reading which would expire midnight this date.

ACTION: 6:30:49 p.m. No action was taken. (The city commission accepted the city attorney's recommendation that the applicant would be required to reappear before the commission with a new application.)

**8. PUBLIC COMMENTS**

Mr. Erik Anderson, D E Scorpio Corporation, introduced the company considered for the Request for Qualifications 2023-01 (Construction Management Services "At Risk") for the new public safety complex, and anticipated appearing before the city commission at its June 8, 2023 meeting to which Mr. La Venia confirmed that details on the process would be provided to him in advance.

ACTION: 6:38:40 p.m. No action was taken.

**9. COMMISSIONERS' COMMENTS**

**(a) Commissioner Mobilian**

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

ACTION: 6:39:46 p.m. No action was taken.

**(b) Commissioner Bell**

Commissioner Bell was absent from the meeting at this time.

ACTION: 6:39:48 p.m. No action was taken.

**(c) Commissioner Gunter**

Commissioner Gunter stated that he has nothing to report at this time.

ACTION: 6:39:48 p.m. No action was taken.

**(d) Vice Mayor DeGrave**

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

ACTION: 6:39:51 p.m. No action was taken.

**10. MAYOR'S COMMENTS**

**Dates to Remember**

Mayor Cheshire recognized the following events:

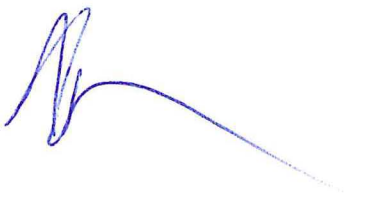
- May 29, 2023 City Hall Closed - Memorial Day;
- May 29, 2023, *Memorial Day Ceremony* Shiloh Cemetery, Fruitland Park, Florida, 34731 at 10:00 a.m. followed by light lunch;
  
- June 8, 2023, (Tina Dawson) Lake County Supervisor of Elections Voter Outreach, Fruitland Park Library, 604 West Berckman Street, Fruitland Park, Florida 34734 at 10:00 p.m.
- June 8, 2023, City Commission regular at 6:00 p.m.
- June 9, 2023, Lake County League of Cities, *Lake County Preliminary Tax Roll*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at noon;
- June 9, 2023, Jeannine Racine's Retirement Party, Community Center, 205 West Berckman Street, Fruitland Park, Florida 34734 at 4:00 p.m.;
- June 16, 2023, *A Night on the Town* Progressive Dinner Event:
  - o Appetizers, Fruitland Park Library, 604 West Berckman Street, Fruitland Park, Florida 34734 at 5:30 p.m.
  - o Dinner, Fruitland Park Community Center, 205 West Berckman Street, Fruitland Park, Florida 34734 at 6:00 p.m.;
  - o Dessert, City Hall, 506 West Berkman Street, Fruitland Park, Florida 34734 at 7:00 p.m.;
  - o Comedy Show, 205 West Berckman Street, Fruitland Park, Florida 34734 at 8:00 p.m.;
- June 21, 2023, Lake-Sumter Metropolitan Planning Organization Governing Board Meeting, 1300 Citizens Boulevard., Suite 175, Leesburg, Florida 34748 at 2:00 p.m., and
- June 24, 2023, Derby Kart Race, Mirror Lake Drive and West Berckman Street, Fruitland Park, Florida 34731 at 10:00 a.m.


ACTION: 6:39:53 p.m. No action was taken.

**11. ADJOURNMENT**

The meeting adjourned at 6:41 p.m.

The minutes were approved at the June 8, 2023, regular meeting.

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

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