

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
June 22, 2023**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, June 22, 2023, at 6:00 p.m.

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

Member Absent: Commissioner John Mobilian

Also Present: Gary La Venia City Manager; City Attorney Anita Geraci-Carver; Deputy Finance Director Gary Bachmann; Police Chief Erik Luce; Sergeant David Cox, Police Department; Public Works Director Robb Dicus; Michael “Mike” Rankin, Interim Community Development Director, LPG Urban & Regional Planners Inc. (consultant retained by the city); Mses. Sharon Williams, Administrative Manager; Kelli Fielder, Permit and Zoning Technician, and Carrie Pruitt, Permit Technician, Community Development Department; Lieutenant/Paramedic Bradley Shelley; Firefighter/Emergency Medical Technician Joshua “Josh” Meredith, Lake County Fire Rescue, and City Clerk Esther B. Coulson.

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

After Mayor Cheshire called the meeting to order and Pastor Charles “Chuck” Padgett, Trinity Assembly of God, gave the invocation, Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:00:50 p.m. No action was taken.

2. ROLL CALL

Mayor Cheshire requested that Ms. Coulson call the roll where a quorum was declared present, and Commissioner Mobilian’s absence was recognized.

ACTION: 6:02:03 p.m. **By unanimous consent, the city commission excused the absence of Commissioner John Mobilian.**

3. CONSENT AGENDA

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

Approval of Minutes

June 8, 2023, regular meeting minutes as submitted.

ACTION: 6:02:25 p.m. **On motion of Commissioner Bell, seconded by Commissioner Gunter and unanimously carried, the city commission approved the consent agenda as previously cited.**

4. **REGULAR AGENDA**

(a) **Resolution 2023-034 – Preliminary Fire Assessment**

Ms. Geraci-Carver read into the record proposed Resolution 2023-034, the substance of which is as follows:

A RESOLUTION OF THE CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE PROVISION OF FIRE SERVICES WITHIN THE VILLAGES OF FRUITLAND PARK BENEFIT AREA IN THE CITY OF FRUITLAND PARK; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

ACTION: 6:02:38 p.m. After discussion, a motion was made by Vice Mayor DeGrave and seconded by Commissioner Bell that the city commission adopt Resolution 2023-034 as previously cited.

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

(b) **Resolution 2023-035 – Public Works Building Project – Change Order #5 – Gooseneck Transmitters Addition and Equipment Pads Removal – GSB Construction and Development Inc.**

Ms. Geraci-Carver read into the record proposed Resolution 2023-035, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CHANGE ORDER NO. 5 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 \$2,033.49 IN THE STIPULATED SUM; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CHANGE ORDER; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:04:40 p.m. After discussion, a motion was made by Vice Mayor DeGrave and seconded by Commissioner Bell that the city commission adopt Resolution 2023-035 as previously cited.

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

(c) RFQ 2023-01 Construction Management Services “At Risk” New Public Safety Complex – Ranking

The city commission considered its action to rank, negotiate and approve the Request for Qualifications 2023-01 (Construction Management Services “At Risk”) for the new public safety complex.

After Mayor Cheshire recognized the evaluations from the evaluation committee and the review of the vendors’ proposals. upon his suggestion and **by unanimous consent, the city commission agreed to select the firms by voice vote in the following order:**

- (1) D. E. Scorpio Corporation**
- (2) H J High Construction**

**Commissioner Gunter (1)
Commissioner Bell (1)
Vice Mayor DeGrave (1), and
Mayor Cheshire (1)**

Mayor Cheshire declared the unanimous selection of D. E. Scorpio Corporation as number one and H J High Construction as number two.

ACTION: 6:09:43 p.m. Upon the city attorney’s suggestion, and on motion of Commissioner Bell, seconded by Commissioner Gunter and unanimously carried, the city commission awarded Request for Qualifications 2023-01, as previously cited, ranking D. E. Scorpio Corporation as number one and H J High Construction as number two. (The city attorney agreed to prepare a contract with D. E. Scorpio for consideration at the July 13, 2023, regular meeting.)

(d) 2023 Revised Meeting Schedule

The city commission considered its action to approve the FY 2023-24 Budget Workshops to be held on July 31 and August 1, 2023.

ACTION: 6:12:22 p.m. On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission approved holding workshops as previously cited on July 31 and August 1, 2023.

PUBLIC HEARING

QUASI-JUDICIAL PUBLIC HEARING

By unanimous consent, Mayor Cheshire opened the public hearings at this evening’s meeting.

(e) **First Reading and Quasi-Judicial Public Hearing – Ordinance 2023-007 Conditional Use Permit - Petitioner: Ralph W. Thiele 2021 Revocable Trust**

It now being the time advertised to hold a public hearing and after Ms. Geraci-Carver read into the record proposed Ordinance 2023-007, the title of which is as follows, Mayor Cheshire called for the public to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW A 24,000 SQUARE FOOT PRIVATE GARAGE LOCATED IN THE C-2 ZONING DISTRICT FOR THE HEREAFTER DESCRIBED LANDS WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; OWNED BY THE RALPH W. THIELE 2021 REVOCABLE TRUST DATED DECEMBER 16, 2021 AND LOCATED AT 35421 MICRO RACETRACK ROAD, FRUITLAND PARK, LAKE COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on July 13, 2023.)

After Mr. Rankin outlined the proposed project, Mr. "Chris" Christopher Thompson, on behalf of the owner, who was sworn-in by Ms. Geraci-Carver; described the proposed project and relayed the owner's plan on the lifetime private car collection project, the facility and perimeter; a copy of the general concept stock photograph is filed with the supplemental papers to the minutes of this meeting.

ACTION: 6:12:51 p.m. After extensive discussions, a motion was made by Vice Mayor DeGrave and seconded by Commissioner Gunter that the city commission approve Ordinance 2023-007 as previously cited and directed staff to work with the applicant who agreed to provide more information, by the second reading, on the proposed use and how the elevation would combine with a General Commercial (2) zoning designated corridor in compliance with the land development regulations (LDRs).

Ms. Geraci-Carver announced the 2023 state legislatures' action on CS/CS/Senate Bill 170 Local Ordinances to become effective October 1, 2023, which overturned the previous court's decision that properly noticed ordinance or resolution may be continued to a subsequent meeting without requiring further publication.

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 QUASI-JUDICIAL PUBLIC HEARING

END OF PUBLIC HEARING

5. (a) City Manager

i. Economic Development Status Update

Mr. La Venia had nothing to report on economic development at this time.

ACTION: 6:38:17 p.m. No action was taken.

ii. Commercial Developments Permits Issued Status Update

At Mr. La Venia's request, Mr. Rnakin acknowledged the commercial developments permits issued and single-family development applications in process.

ACTION: 6:38:17 p.m. No action was taken.

iii. Law Enforcement Dispatch Services - Lake County Sheriff's Office

Mr. La Venia referred to the Lake County Sheriff's Office (LCSO) law enforcement dispatch services addressed at the June 6, 2023, regular meeting. He recognized the annual cost of \$103,380 to provide said contractual services for the city and other municipalities; noted same was reduced to approximately \$52,000, and addressed his plan to meet with Sheriff Peyton C. Grinnell at the July 14, 2023, Lake County League of Cities' luncheon meeting.

After discussion, Ms. Geraci-Carver cited the response she received from LCSO's General Counsel Derek A. Schroth, Bowen Schroth, to her question that the county pays more than \$12 per person where it funds approximately \$95 million for all LCSO's operations and that the budget request for next year from the county would be to fund over \$107 million.

Ms. Geraci-Carver relayed Mr. Schroth's remarks that the city may have other options in providing its own dispatch service or entering into an interlocal agreement with another local jurisdiction; noted the subsequent information LCSO's provided on the reduced amount, as mentioned by Mr. La Venia, and conveyed Mr. Schroth's request for her to call him.

ACTION: 6:38:37 p.m. After extensive discussions and upon Vice Mayor DeGrave's suggestion, **the city commission, by unanimous consent, directed the city attorney who agreed to:**

- obtain information from the Lake County municipalities with their own police department on how they are being paid for law enforcement dispatch services and for how long;
- report back on the whether the \$12 dollars per person is for Lake County (as a separate line item) where the Lake County Sheriff's Office charges accordingly or if the charges are earmarked in the general fund allocated by the county, and
- seek the option of exploring a joint interlocal agreement for dispatch services with surrounding municipalities.

iv. City Treasurer

Mr. La Venia requested the city commission's action to appoint Mr. Bachmann as interim city treasurer until the end of City Treasurer Jeannine Racine's employment, July 31, 2023, or as city treasurer with a probationary period of six months.

ACTION: 6:58:15 p.m. On motion of Commissioner Gunter, seconded by Commissioner Bell and unanimously carried, the city commission approved the city manager's recommendation to appoint Mr. Gary Bachmann as city treasurer with a probationary period of six months. (A resolution in this regard will be considered at the next meeting.)

v. Police Vehicle – FY 2022-2023 Budget Amendment

After Mr. La Venia gave reasons, following his review of the FY 2022-23 budget, to purchase an additional law enforcement vehicle, Chief Luce recognized the budgetary amount allocated of \$133,932 based on last year's vehicle prices including fuel.

ACTION: 6:59:42 p.m. By unanimous consent, the city commission accepted the city manager's recommendation to approve a budgetary amendment for the purchase of a police vehicle for fiscal year 2022-23. (A resolution in this regard will be placed on the next agenda for consideration.)

(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 had nothing to report on the U.S. Bank National Association v. Robert More Lake County Case No. 2022-CA-00845.

ACTION: 7:05:24 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: 7:05:24 p.m. No action was taken.

iii. Fruitland Park Official City Code

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

ACTION: 7:05:24 p.m. No action was taken.

iv. LDR Codification

Ms. Geraci-Carver had nothing to report on the LDR codification.

ACTION: 7:05:24 p.m. No action was taken.

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: 7:05:24 p.m. No action was taken.

vi. Form 1, Statement of Financial Interests (2022)

Ms. Geraci-Carver reminded the city commissioners to file Form 1, Statement of Financial Interests (2022) with the Lake County Supervisors of Elections before the July 1, 2023, deadline.

ACTION: 7:05:24 p.m. No action was taken.

6. UNFINISHED BUSINESS

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

ACTION: 7:05:56 p.m. No action was taken.

7. PUBLIC COMMENTS

After Mr. Carl Yauk, The Villages of Fruitland Park (Pine Hills) resident, questioned the LCSO dispatch services' indirect payment through the county and how same was charged based on population, Mr. La Venia addressed the plan to relay same to the county.

ACTION: 7:05:58 p.m. No action was taken.

8. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

Commissioner Mobilian was absent from this evening's meeting.

ACTION: 7:08:34 p.m. No action was taken.

(b) Commissioner Bell

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

ACTION: 7:08:34 p.m. No action was taken.

(c) Commissioner Gunter

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

ACTION: 7:08:38 p.m. No action was taken.

(d) Vice Mayor DeGrave

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

ACTION: 7:08:40 p.m. No action was taken.

9. MAYOR'S COMMENTS

(a) Emergency Operations Center/Public Safety Building Project

In response to Mayor Cheshire's inquiry, Mr. La Venia referred to the passage of the 2023-24 State Budget and voiced concerns on the Florida Governor's 2023 Veto List which included the city's emergency operations center/public safety building for \$500,000.

In response to Vice Mayor DeGrave's inquiry, Mr. La Venia recognized the funds from Lake County earmarked for the city's public safety building; noted the allocation for same in the city's FY 2023-24 proposed budget and addressed his plan to write a letter District 26 State Representative Keith Truenow, before reaching out to Governor Ron DeSantis, on the merits of the subject project.

ACTION: 7:08:42 p.m. No action was taken.

(b) Dates to Remember

Mayor Cheshire recognized the following events:

- June 24, 2023, Derby Kart Race, Mirror Lake Drive and West Berckman Street, Fruitland Park, Florida 34731 at 10:00 a.m.;
- July 4, 2023, City Hall Closed – Holiday;
- July 13, 2023, City Commission Regular at 6:00 p.m.;
- July 14, 2023, Lake County League of Cities, *Lake County Sheriff's Update*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 noon;

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- July 27, 2023, City Commission Regular at 6:00 p.m.;
- July 29, 2023, Mom and Daughter Tea Party, Community Center, 205 West Berckman Street, Fruitland Park, Florida 34731 at 11:00 a.m.;
- July 31, 2023, City Commission Workshop (FY 2023-24 Proposed Budget) at 6:00 p.m.;

- August 1, 2023, City Commission Workshop (FY 2023-24 Proposed Budget) at 6:00 p.m. and
- August 10, 2023, City Commission Regular CANCELLED.

ACTION: 7:13:20 p.m. No action was taken.

10. **ADJOURNMENT**

The meeting adjourned at 7:14 p.m.

The minutes were approved at the July 13, 2023, regular meeting.

Signed

Esther B. Coulson, City Clerk, MMC

Signed

Chris Cheshire, Mayor

