

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

July 13, 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 –Reverend Allen T. Tillman, New Salem Missionary Baptist Church

Pledge of Allegiance – Police Chief Erik Luce

2. ROLL CALL

3. LOCAL PLANNING AGENCY

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

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)
June 22, 2023, regular meeting.

(b) Resolution 2023-038 City Treasurer Appointment – G. Bachmann (city attorney/city manager)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING GARY BACHMANN AS CITY TREASURER; PROVIDING FOR THE TERM; AND PROVIDING FOR AN EFFECTIVE DATE. (Ratified at the June 22, 2023 regular meeting.)

5. REGULAR AGENDA

(a) Resolution 2023-039 – A1A Document A133-2019 Standard Form of Agreement – Scorio (city attorney/city manager)
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AIA DOCUMENT A133-2019 STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONSTRUCTION MANAGER AT CONSTRUCTOR

WHERE BASIS OF PAYMENT IS THE COST OF THE WORK PLUS A FEE WITH A GUARANTEED MAXIMUM PRICE; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

(b) Resolution 2023-037 Police Vehicle FY 2022-23 Budget Amendment BT2023-008 (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 EXPENDITURES IN EQUIPMENT - VEHICLES ACCOUNT FOR THE POLICE DEPARTMENT AND DECREASE EXPENDITURES IN FUEL, UNIFORMS, TUITION REIMBURSEMENT, AND NONREPAIRABLE EQUIPMENT ACCOUNTS TO ALLOW FOR THE PURCHASE AND EQUIPPING OF A POLICE VEHICLE FOR USE AS A K-9 POLICE VEHICLE; AND PROVIDING FOR AN EFFECTIVE DATE.

(c) Police K-9 Vehicle Purchase Quotes (city manager/police chief)
Motion to consider the approval of the bids from Duval Chevrolet \$40,799 and Bozard Ford for \$43,836 for the purchase of a police K-9 vehicle and the attached breakdown of expenditures.

PUBLIC HEARING

(d) First Reading and Public Hearing - Ordinance 2023-008 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 second
reading will be held on July 27, 2023.)

- (e) **First Reading and Public Hearing Ordinance 2023-009 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 second reading will be held on July 27, 2023.)

QUASI-JUDICIAL PUBLIC HEARING

- (f) **First Reading and Quasi-Judicial Public Hearing - Ordinance 2023-010 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 second reading will be held on July 27, 2023.)

- (g) **First Reading and Quasi-Judicial Public Hearing – Ordinance 2023-006 Rezoning – R15 to PUD – 6.54± Acres – CR 466A - Petitioner: Lake Sumter Commercial LLC** (city attorney/city manager/community development)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, REZONING APPROXIMATELY 6.54± ACRES OF PROPERTY LOCATED ON CR 466A, FRUITLAND PARK, FLORIDA FROM CITY OF FRUITLAND PARK R-3 ZONING TO THE CITY OF FRUITLAND PARK DESIGNATION OF PUD, PLANNED UNIT DEVELOPMENT WITHIN THE CITY LIMITS OF FRUITLAND PARK; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on July 27, 2023.)

- (h) **Second Reading and Quasi-Judicial Public Hearing – Ordinance 2023-007 Conditional Use Permit – 35421 Micro Racetrack Road - Petitioner: Ralph W. Thiele 2021 Revocable Trust** (city attorney/city manager/community development)

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 HEREFTER 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 first reading was held on June 22, 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**
 - iii. Road Paving**
- (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

- 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;
- July 27, 2023, City Commission Regular at 6:00 p.m.;
- July 29, 2023 7-Eleven Opening – US Highway 27/441, Fruitland Park, Florida 34731 at 10:00 a.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.;
- August 10, 2023, City Commission Regular CANCELLED;
- August 14, 2023, Lake County Parks, Recreation and Trails Advisory Board, Office of Parks and Trails, Conference Room, 2401 Woodlea Road, Tavares, Florida, 32778;
- August 18, 2023, LCLC, *Washington Update*, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 noon, and
- August 24, 2023, City Commission Regular at 6:00 p.m.

For more city events information access the calendar on the website:
<https://www.fruitlandpark.org/>

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 MODE