

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
October 12, 2023**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, October 12, 2023, at 6:00 p.m.

Members Present: Mayor Chris Cheshire, Vice Mayor Patrick DeGrave, Commissioners John L. Gunter Jr., Chris Bell (available by telephone conference) and John Mobilian.

Also Present: Gary La Venia City Manager; City Attorney Anita Geraci-Carver; City Treasurer Gary Bachmann; Police Chief Erik Luce and Officer Anthony Buehler, Police Department; Public Works Director Robb Dicus; Human Resources Director Betty McHale; Michael “Mike” Rankin, Interim Community Development Director, LPG Urban & Regional Planners Inc. (consultant retained by the city); Administrative Manager Sharon Williams, Permit and Zoning Technician Kelli Fielder, Community Development Department, Lieutenant/Paramedic Bradley Shelley and Firefighter/Emergency Medical Technician Bryce Benton, 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 Jerry Rhoames, Connection Point Church, gave the invocation, Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:05:52 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 announced the proposed change on consent agenda item 4.(b) on this evening’s agenda to be postponed.

ACTION: 6:07:54 p.m. No action was taken.

3. SPECIAL PRESENTATION -ACFR SEPTEMBER 30, 2022

Ms. Tamara “Tammy” Campbell, McDirmit Davis, Certified Public Accountants, gave a power-point presentation highlighting the city’s 2022 annual audit for fiscal year ending September 30,2022, a copy of which was filed with the supplemental papers to the minutes of this meeting.

ACTION: 6:08:25 p.m. No action was taken; however, the city’s financial statements will be considered at the October 26, 2023 regular meeting.

4. CONSENT AGENDA

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

- (a) **Approval of Minutes**
September 28, 2023 regular meeting minutes.
- (b) **Resolution 2023-065 and Archives Management Plan Onsite Consulting Services – SML Inc.**
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING A ONE-YEAR RENEWAL OF THE PROFESSIONAL SERVICES AGREEMENT BETWEEN SML, INC. & CITY OF FRUITLAND PARK CONTRACT FOR RECORDS & ARCHIVE MANAGEMENT SERVICES; PROVIDING FOR AN EFFECTIVE DATE.
- (c) **Wreaths Across America Program**
Motion to grant John Gella Memorial Unit 219 of the American Legion Auxiliary's request permitting them to hold the 11th annual Wreaths Across America Ceremony at Shiloh Cemetery on Saturday, December 16, 2023.

ACTION: 6:16:15 p.m. On motion of Commissioner Mobilian, seconded by Commissioner Bell and unanimously carried, the city commission pulled Consent Agenda 4.(b) and approved Consent Agenda Items 4.(a) and 4.(c) as previously cited.

On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission postponed Item 4.(b) to the October 26, 2023 meeting for more information.

By unanimous consent, the city commission approved the previously cited consent agenda as amended.

5. REGULAR AGENDA

- (a) **Resolution 2023-066 P&Z Appointment**
Ms. Geraci-Carver read into the record Resolution 2023-066, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING _____ AS A MEMBER TO THE CITY OF FRUITLAND PARK PLANNING AND ZONING BOARD; PROVIDING THE TERM EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:17:12 p.m. After Mayor Cheshire recognized the presence of Ms. Shayna Grunewald at this evening's meeting, a motion was made by Commissioner Mobilian and seconded by Commissioner Gunter that the city

commission adopt Resolution 2023-066 as previously cited with the appointment of Ms. Shayna Grunewald to the Planning and Zoning Board.

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

- (b) **Resolution 2023-058 - Patricia Avenue Water Main and Services Installation – EJCDC Standard Form of Agreement - D B Civil Construction LLC**
Ms. Geraci-Carver read into the record Resolution 2023-058, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING BID FROM DB CIVIL CONSTRUCTION LLC AND EJCDC STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR ON THE BASIS OF A STIPULATED PRICE IN THE AMOUNT OF \$244,900.00 FOR PATRICIA AVENUE WATER MAIN PROJECT; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:18:39 p.m. and 6:21:10 p.m. After discussion, a motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission adopt Resolution 2023-058 as previously cited.

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

Later in the meeting and after discussion, the city commission, by unanimous consent, accepted the correction under funds budgeted in the Agenda Summary Report to read: *one hundred and forty-six thousand dollars (\$146,000) community development block grant and one hundred and forty thousand dollars (\$140,000) water impact fees.*

- (c) **Resolution 2023-067 - Spring Lake Road Water Main and Services Installation - EJCDC Standard Form of Agreement - Art Walker Construction Contract Award**
Ms. Geraci-Carver read into the record Resolution 2023-058, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING BID FROM ART WALKER CONSTRUCTION, INC. AND EJCDC STANDARD FORM OF AGREEMENT BETWEEN OWNER AND CONTRACTOR ON THE BASIS OF A STIPULATED PRICE IN THE AMOUNT OF \$299,293.00 FOR SPRING LAKE ROAD WATER MAIN PROJECT; AUTHORIZING THE

MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR
AN EFFECTIVE DATE.

Earlier in the meeting, Mr. La Venia referred to the October 11, 2023 email from Ms. Tarrah Walker, Art Walker Construction Inc., regarding their inability to attend this evening's meeting due to a commitment; a copy of same is filed with the supplemental papers to the minutes of this meeting.

ACTION: 6:18:39 p.m. and 6:21:10 p.m. After discussion, and on motion of Vice Mayor DeGrave, seconded by Commissioner Mobilian and unanimously carried, the city commission adopted Resolution 2023-058 as previously cited and accepted the correction **under funds budgeted in the Agenda Summary Report to read: *one hundred and sixty-eight thousand dollars (\$168,000) community development block grant and one hundred and forty thousand dollars (\$140,000) water impact fees.***

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

PUBLIC HEARING

By unanimous consent, Mayor Cheshire opened the public hearing at this evening's meeting.

- (d) **Ordinance 2023-018 Employee Manual Personnel Policies and Procedures**
After Ms. Geraci-Carver read into the record Ordinance 2023-018, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK,
COUNTY OF LAKE, STATE OF FLORIDA, AMENDING
SECTION 32.01, CHAPTER 32 OF THE CITY OF FRUITLAND
PARK CODE OF ORDINANCES; ESTABLISHING
PERSONNEL PROCEDURES AND RULES AS SET FORTH IN
SECTION 4.08 OF THE CITY CHARTER; APPROVING THE
CITY OF FRUITLAND PARK EMPLOYEE MANUAL OF
PERSONNEL POLICIES AND PROCEDURES; PROVIDING
FOR CONFLICTS, CODIFICATION AND SEVERABILITY;
PROVIDING FOR AN EFFECTIVE DATE.

After discussion. Ms. Geraci-Carver confirmed in response to Vice Mayor DeGrave's inquiries that the effective date is when the ordinance is enacted and that the codification of Section 32.01 (adopted by reference) would be codified and not the employee manual.

ACTION: 6:27:45 p.m. **A motion was made by Commissioner Bell and seconded by Commissioner Gunter that the city commission approve Ordinance 2023-018 as previously cited.**

There being no one from the public and **by unanimous consent, Mayor Cheshire closed the public hearing.**

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

(e) Second Reading and Public Hearing – Ordinance 2023-013 Water Rate Increase

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2023-013, Ms. Geraci-Carver read into the record the following title and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AMENDING SECTION 50.30 IN CHAPTER 50 OF THE FRUITLAND PARK CODE OF ORDINANCES TO ADJUST THE WATER UTILITY RATES BASED ON JANUARY 2023 CONSUMER PRICE INDEX; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on September 28, 2023.)

ACTION: 6:30:22 p.m. After much discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Mobilian that the city commission enact Ordinance 2023-013 as previously cited to become effective immediately. (The water rate adjustments shall be implemented October 16, 2023.)**

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 with the city commission members voting as follows:

Commissioner Bell	No
Commissioner Gunter	No
Commissioner Mobilian	Yes
Vice Mayor DeGrave	Yes
Mayor Cheshire	Yes

The motion was carried on a three to two (3-2) vote.

(i) Second Reading and Public Hearing – Ordinance 2023-014 Water and Wastewater Rate Increase

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2023-014, Ms. Geraci-Carver read into the record the following title and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING SECTION 99.60 IN CHAPTER 50 OF THE FRUITLAND PARK CODE OF ORDINANCES TO ADJUST THE WASTEWATER UTILITY RATES BASED ON JANUARY 2023 CONSUMER PRICE INDEX; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on September 28, 2023.)

ACTION: 6:36:43 p.m. A motion was made by Commissioner Mobilian and seconded by Vice Mayor DeGrave that the city commission enact Ordinance 2023-014 as previously cited to become effective immediately. (The water rate adjustments shall be implemented October 16, 2023.)

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 with the city commission members voting as follows:

Commissioner Bell	No
Commissioner Gunter	Yes
Commissioner Mobilian	Yes
Vice Mayor DeGrave	Yes
Mayor Cheshire	Yes

The motion was carried on a four to one (4-1) vote.

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 referred to the Community Redevelopment Agency's (CRA's) previous deliberations on its redevelopment plan design standards for the downtown district and the city commission's recent discussions on Micro Racetrack Road; recognized the existing funds earmarked for LPG Urban & Regional Planners Inc. on said standards and the position taken to not pursue but utilize same for quasi-commercial.

In response to Vice Mayor DeGrave's remarks on the focus towards the end use of the current public works site (Fountain Street and Lemon Street) with residential in the center, Mr. La Venia explained the possibility of reviewing same as well as the Fruitland Park Elementary School site.

With respect to Micro Racetrack Road, Vice Mayor DeGrave believes that more emphasis ought to be placed on a harmonious build as opposed to market-driven development and later indicated that discussions to be held on the city's desire on what ought to be envisioned.

After discussion, Mr. La Venia addressed the following to be reviewed at a future workshop meeting:

- from four story to three dwelling units; greenspace versus set aside for stormwater drainage (retention), and the granting of conditional use permit time limit as changes provided by Ms. Geraci-Carver in the land development regulations;
- the proposed comprehensive plan changes and how to limit the scope of the study;
- redistricting maps, and
- Micro Racetrack Road zoning and land uses.

ACTION: 6:38:54 p.m. No action was taken.

ii. Commercial Developments Permits Issued Status Update

Mr. La Venia did not address the commercial development permits issued at this time.

ACTION: 6:38:54 p.m. No action was taken.

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

Ms. Geraci-Carver referred to the city attorneys' meeting on the afternoon of October 10, 2023 where it appeared that most municipalities do not have their own dispatch services and are situated similarly as the City of Fruitland Park. She addressed the intent for the respective local elected bodies to adopt resolutions and mayors to execute and circulate letters directed to Lake County Board of County Commissioners and the Lake County Sheriff's Office where she would forward same to the city commission once they are available in final form.

ACTION: 6:49:54 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 indicated that she is waiting for a hearing on the foreclosure pertaining to the U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845. She explained that the code enforcement lien hearing has not been scheduled.

ACTION: 6:51:13 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-Craver explained that the Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-A-1628 is ongoing and anticipated that there will be a disposition on the plaintiffs mid-November 2023.

ACTION: 6:51:25 p.m. No action was taken.

iii. Code of Ordinances – Codification

Ms. Geraci-Carver reported that she is still waiting on the draft proofs on the code of ordinances as codification.

ACTION: 6:51:35 p.m. No action was taken.

iv. LDR Codification

Ms. Geraci-Carver did not address the land development regulations codification.

ACTION: 6:51:35 p.m. No action was taken.

7. UNFINISHED BUSINESS

In response to Vice Mayor DeGrave's inquiry, Mr. La Venia confirmed that there has been no feedback regarding the Dolly Parton Imagination Library of Lake.

ACTION: 6:51:00 p.m. and 6:51:14 p.m. No action was taken.

8. PUBLIC COMMENTS

Mr. Joseph "Joe" Sharp, City of Fruitland Park resident, thanked the city commission for their service; expressed his desire, availability and interest to serve, volunteer and help the community without charge and requested the city commission's guidance.

In response, Mr. La Venia's referred to Mr. Sharp's October 6, 2023 email and addressed the concept of assisting neighbors who need help in washing and painting their homes. Mr. La Venia welcomed him to attend Operation Bless Fruitland Park's monthly meetings held every fourth Thursday at 11:00 a.m. the Recreation Center hosted by Heritage Church Pastor Sid Brock.

ACTION: 6:51:46 p.m. No action was taken.

9. COMMISSIONERS' COMMENTS

(a) Commissioner Mobilian

Commissioner Mobilian addressed his required attendance at the Lake-Sumter Metropolitan Planning Organization.

ACTION: 6:54:37 p.m. No action was taken.

(b) Commissioner Bell

Commissioner Bell had nothing to report at this evening's meeting.

ACTION: 6:55:22 p.m. No action was taken.

(c) Commissioner Gunter

Commissioner Gunter had nothing to report at this evening's meeting.

ACTION: 6:55:37 p.m. No action was taken.

(d) Vice Mayor DeGrave

Vice Mayor DeGrave had nothing to report at this evening's meeting.

ACTION: 6:55:40 p.m. No action was taken.

10. MAYOR'S COMMENTS

Dates to Remember

Mayor Cheshire announced the following dates:

- October 25, 2023 Lake-Sumter Metropolitan Planning Organization Governing Board Meeting, 1300 Citizens Boulevard, Suite 175, Leesburg, Florida 34748 at 2:00 p.m.;
- October 26, 2023 City Commission Regular meeting at 6:00 p.m.;
- October 27, 2023 Halloween Party at 205 W Berckman Street, Fruitland Park, Florida 34731 at 7:00 p.m., and
- October 28, 2023 Pumpkin Chunkin at Windy Acres, 1350 Miller Boulevard, Fruitland Park, Florida 34731 at 11:00 a.m.

ACTION: 6:55:42 p.m. No action was taken.

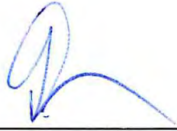
11. ADJOURNMENT

The meeting adjourned at 6:57 p.m.

The minutes were approved at the October 28, 2023, regular meeting.

Signed

Esther B. Coulson, City Clerk, MMC



Signed

Chris Cheshire, Mayor

