

**FRUITLAND PARK CITY COMMISSION
REGULAR MEETING AGENDA**

October 26, 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 Tillman, New Salem Missionary Baptist Church

Pledge of Allegiance – Police Chief Erik Luce

2. ROLL CALL

3. SPECIAL PRESENTATIONS (city clerk)

(a) Veterans' Day Proclamation - November 11, 2023,

The John Gella Memorial Unit 219 Inc., of the American Legion Auxiliary.

(b) Scams, Fraud and Consumer Rights – Florida Department of Agriculture and Consumer Services

State of Florida Department of Agriculture and Consumer Services

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)

October 12, 2023 regular.

(b) Resolution 2023-068 – Independent Auditor's Report FY Ending September 30, 2022 (city attorney)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ACCEPTING THE INDEPENDENT AUDITORS' REPORT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2022 WITH ACCOMPANYING FINANCIAL STATEMENTS; PROVIDING FOR AN EFFECTIVE DATE.

(c) Resolution 2023-069 City Manager Employment Agreement Second Amendment (city attorney/city manager)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE SECOND AMENDMENT TO CITY OF FRUITLAND PARK CITY MANAGER'S EMPLOYMENT AGREEMENT BETWEEN THE CITY OF FRUITLAND PARK, FLORIDA AND GARY LA VENIA; AUTHORIZING EXECUTION OF THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

(d) Resolution 2023-070 Legal Services Agreement Amendment (city attorney)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE AMENDED LEGAL SERVICES AGREEMENT BETWEEN THE CITY OF FRUITLAND PARK, FLORIDA AND LAW OFFICE OF ANITA GERACI-CARVER P.A.; AUTHORIZING EXECUTION OF THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

(e) Lake County Educational Concurrency Review Committee Appointment (city clerk)

Motion to consider the reappointment of Commissioner John L. Gunter Jr. to the Lake County Education Concurrency Review Committee.

5. REGULAR AGENDA

(a) Resolution 2023-055 Planning and Zoning Board – Chair and Vice Chair Selection (city attorney/city manager/city clerk)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE PLANNING AND ZONING BOARD CHAIR AND VICE-CHAIR SELECTION FOR FISCAL YEAR 2023/2024; PROVIDING FOR AN EFFECTIVE DATE.
(Postponed from the September 28, 2023 meeting.)

(b) Resolution 2023-065 Records and Archives Management Plan Onsite Consulting Services – SML Inc. (city attorney/city clerk)

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.

PUBLIC HEARING

QUASI-JUDICIAL PUBLIC HEARING

- (c) **Quasi-Judicial Public Hearing - Resolution 2023-045 Lakeside Storage Variance – Landscape Area and Water Main Size – 2600 US Highway 441/27 – Petitioner: DNA Realty Trust, LLC** (city attorney/city manager/community development)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, GRANTING A VARIANCE TO THE LAND DEVELOPMENT REGULATION (LDR) REQUIREMENTS PERTAINING TO LANDSCAPE AREA AT THE END OF PARKING ROW, AND PERTAINING TO WATER MAIN SIZE OF 10" TO 8" ON THE SUBJECT PROPERTY LOCATED AT 2600 US HWY. 441/27 AND OWNED BY DNA REALTY TRUST, LLC, PROVIDING FOR AN EXPIRATION DATE; PROVIDING FOR SCRIVENER'S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

END OF QUASI-JUDICIAL PUBLIC HEARING

- (d) **Public Hearing - Resolution 2023-052 Major Site Plan Approval Storage Facility Construction – Petitioner: DNA Realty Trust, LLC** (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 STORAGE FACILITY INCLUDING AN OFFICE FOR A TOTAL OF 93,986 SQUARE FEET CONSISTING OF APPROXIMATELY MULTIPLE BUILDINGS AND RV/BOAT STORAGE SPACES; 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.

- (e) **Second Reading and Public Hearing – Ordinance 2023-018 Employee Manual Personnel Policies and Procedures** (city attorney/city manager/human resources director)

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. (The first reading was held on October 12, 2023.)

END OF PUBLIC HEARING

- 6. (a) City Manager**
 - i. Economic Development Status Update**
 - ii. Commercial Developments Permits Issued Status Update**
 - iii. Law Enforcement Dispatch Services – Lake County Sheriff’s Office Status Update Report**
- (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**

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 DeGrave

(c) Commissioner Bell

(d) Vice Mayor Gunter, Jr.

10. MAYOR'S COMMENTS

11. ADJOURNMENT

City commission workshop to follow at the conclusion of this evening's meeting.

DATES TO REMEMBER

- October 27, 2023, Fruitland Park Recreation Halloween Party at 205 W Berckman Street, Fruitland Park, Florida 34731 at 7:00 p.m.;
 - October 28, 2023, Pumpkin Chunkin at Windy Acres, 1350 Miller Boulevard, Fruitland Park, Florida 34731 at 11:00 a.m.;
 - October 31, 2023, The Great Pumpkin Party at the Fruitland Park Library. 604 West Berckman Street, Fruitland Park, Florida 34731 at 4:30 p.m.

 - November 4, 2023, Brews, Blues and BBQ at 604 W Berckman Street, Fruitland Park, Florida 34731 at 5:00 p.m.;
 - November 9, 2023, regular city commission meeting at 6:00-p.m.;
 - November 10, 2023, city hall closed in observance of Veterans Day;
 - November 11, 2023, *Veterans Day*, Outside City Hall 506 W Berkman Street, Fruitland Park, Florida 34731 at 11:00 p.m.;
 - November 23, 2023, city hall closed in observance of Thanksgiving Day, and
 - November 24, 2023, city hall closed, the day after Thanksgiving Day
- [Calendar | City of Fruitland Park Florida](#);

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.