

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
January 11, 2024**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, January 11, 2024 at 6:00 p.m.

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

Members Absent: Commissioner John Mobilian participated by telephonic video conference.

Also Present: City Manager Gary La Venia; City Attorney Anita Geraci-Carver; City Treasurer Gary Bachmann; Police Chief Erik Luce; Public Works Director Robb Dicus; Human Resources Director John Klein; Administrative Manager Sharon Williams and Permit and Zoning Technician Kelli Fielder, Community Development Department, 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 Greg Yarborough, Trinity Assembly Church, gave the invocation, Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:11:55 p.m. No action was taken.

2. ROLL CALL

Mayor Cheshire requested that Ms. Coulson call the roll where a quorum was declared present, recognized Commissioner Mobilian who joined by telephonic video conference, and recognized the following changes to this evening's agenda:

Agenda Changes:

3. Consent Agenda – December 14, 2023 regular minutes
Scrivener's errors grammatical.

4.(k) Ordinance 2023-020 Comprehensive Plan Amendment Building Heights Restriction
Continue to the next meeting at staff's request.

4.(l) Ordinance 2023-019 Land Development Regulations Amendment – Building Heights Restriction
Continue to the next meeting at staff's request.

ACTION: 6:14:02 p.m. Upon Mayor Cheshire's recommendation, and **by unanimous consent, the city commission accepted the previously cited changes to the agenda.**

3. CONSENT AGENDA

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

Approval of Minutes

December 14, 2023 regular meeting minutes.

ACTION: 6:15:01 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission approved the consent agenda as previously cited.**

7. REGULAR AGENDA

(a) Resolution 2023-077 Comprehensive Plan Updates - LPG Urban & Regional Planners, LLC

Ms. Geraci-Carver read into the record the title of Resolution 2023-077, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING LPG URBAN & REGIONAL PLANNERS, LLC'S PROPOSAL FOR PROFESSIONAL CONSULTING SERVICES DATED DECEMBER 14, 2023 FOR COMPREHENSIVE PLAN UPDATES IN AN AMOUNT NOT TO EXCEED \$94,700.00; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; REPEALING RESOLUTION 2023-005; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from October 12 and 26, 2023.)

After Mayor Cheshire recalled the city commission's discussions at its February 9, 2023 regular meeting, Ms. Geraci-Carver in concurrence, pointed out LPG Urban & Regional Planners LLC's proposal -- Comprehensive Plan Update Resolution 2020-005 -- for professional consulting services that did not commence which the city is repealing.

ACTION: 6:15:11 p.m. After discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Bell that the city commission adopt Resolution 2023-077 as previously cited.**

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

(b) Resolution 2024-006 General Revenues Final Property Values and Increase Redevelopment Budget Expenditures - CRA Fund Transfer FY 2023-024 Budget Amendment

Ms. Geraci-Carver read into the record the title of proposed Resolution 2023-006, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE

2023/2024 FISCAL YEAR BUDGET PURSUANT TO SEC. 6.07 OF THE CITY CHARTER TO INCREASE THE BUDGET FOR GENERAL REVENUES DUE TO FINAL PROPERTY VALUES INCREASING AFTER THE BUDGET WAS APPROVED AND INCREASE EXPENDITURES IN THE REDEVELOPMENT BUDGET TO TRANSFER FUNDS TO THE COMMUNITY REDEVELOPMENT AGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:17:30 p.m. After discussion, a motion was made by Commissioner Gunter and seconded by Vice Mayor DeGrave that the city commission adopt Resolution 2024-006 as previously cited.

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

- (c) **Resolution 2024-001 Public Works Building Project – Change Order #7 – EJCDC Standard Form of Agreement – Chain Link Fencing Gates \$5,905.21 Decrease – GSB Construction and Development Inc.**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2024-001, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CHANGE ORDER NO. 7 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 A DECREASE OF \$5,905.21 IN THE STIPULATED SUM; AUTHORIZING THE EXECUTION OF THE CHANGE ORDER; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:19:17 p.m. After discussion, a motion was made by Commissioner Gunter and seconded by Vice Mayor DeGrave that the city commission adopt Resolution 2024-001 as previously cited.

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

- (d) **Resolution 2024-002 Public Works Building Project – Change Order #8 - EJCDC Standard Form of Agreement – Ceramic Tile \$26,820.92 Decrease – GSB Construction and Development Inc.**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2024-002, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CHANGE ORDER NO. 8 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 A DECREASE OF \$26,820.92 IN THE STIPULATED SUM; AUTHORIZING EXECUTION OF THE CHANGE ORDER; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:21:05 p.m. After much discussion, a motion was made by Commissioner Bell and seconded by Commissioner Gunter that the city commission adopt Resolution 2024-002 as previously cited.

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

- (e) **Resolution 2024-003 Public Works Building Project – Change Order #9 - EJCDC Standard Form of Agreement – Electric Bay Door Motors-Associated Systems \$42,676.81 Increase – GSB Construction and Development Inc.**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2024-003, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CHANGE ORDER NO. 9 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 \$42,676.81 IN THE STIPULATED SUM; AUTHORIZING EXECUTION OF THE CHANGE ORDER; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:24:50 p.m. After extensive discussion, a motion was made by Vice Mayor DeGrave and seconded by Commissioner Gunter that the city commission adopt Resolution 2024-003 as previously cited.

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

- (f) **Resolution 2024-004 Patricia Avenue Water Line Replacement Project CDBG Program Requirements Proposal – Halff Inc.**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2024-004, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CDBG PROGRAM ADMINISTRATIVE SERVICES PROPOSAL FOR LABOR STANDARDS COMPLIANCE DATED DECEMBER 20, 2023 FOR PATRICIA AVENUE WATER LINE REPLACEMENT PROJECT FROM HALFF IN AN AMOUNT NOT TO EXCEED \$22,000.00 FOR ADMINISTRATIVE SERVICES RELATING TO COMPLIANCE WITH CDBG PROGRAM REQUIREMENTS; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:25:50 p.m. After much discussion, a motion was made by Vice Mayor DeGrave and seconded by Commissioner Bell that the city commission adopt Resolution 2023-004 as previously cited.

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

(g) **Resolution 2024-005 Spring Lake Water Line Replacement Project CDBG Program Requirements Proposal – Halff Inc.**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2024-005, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING CDBG PROGRAM ADMINISTRATIVE SERVICES PROPOSAL FOR LABOR STANDARDS COMPLIANCE DATED DECEMBER 20, 2023 FOR SPRING LAKE ROAD WATER LINE REPLACEMENT PROJECT FROM HALFF IN AN AMOUNT NOT TO EXCEED \$22,000.00 FOR ADMINISTRATIVE SERVICES RELATING TO COMPLIANCE WITH CDBG PROGRAM REQUIREMENTS; AUTHORIZING THE MAYOR TO EXECUTE THE PROPOSAL; PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:32:00 p.m. After discussion, a motion was made by Commissioner Bell and seconded by Commissioner Gunter that the city commission adopt Resolution 2023-005 as previously cited.

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

(h) **Public Works Four-Post Vehicle Lift Purchase – Quotes**

The city commission considered its action to approve a quote for a 27,000 lb. capacity four-post BendPak vehicle lift as well as a pair of 15,000 lb. rolling bridge jaks to be used in conjunction with the four-post lift as follows:

- 1) Northern Tool, \$33,799.97
- 2) Wrenchers LLC, \$27,325
- 3) BendPak Inc., \$31,395

Mr. Dicus cited reasons why staff is recommending Wrenchers LLC to include installation not to exceed \$30,000.

ACTION: 6:33:53 p.m. Following lengthy discussions and **by unanimous consent, the city commission accepted staff's recommendation to include the installation not to exceed \$30,000.** (Said amount is already earmarked in the FY 2023/24 budget.)

On motion of Vice Mayor DeGrave, seconded by Commissioner Bell and unanimously carried, the city commission approved staff's recommendation to accept Wrenchers LLC's quote as the lowest, responsive and responsible bidder for \$27,325 to include the installation price not to exceed \$30,000.

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

PUBLIC HEARING

(i) Second Reading and Public Hearing – Ordinance 2023-022 Wastewater System Asset Management and Fiscal Sustainability Plan

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2023-022 and after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for the public to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CREATING CHAPTER 104 OF THE CODE OF ORDINANCES AND ADOPTING THE CITY OF FRUITLAND PARK WASTEWATER SYSTEM ASSET MANAGEMENT AND FISCAL SUSTAINABILITY PLAN PREPARED BY FLORIDA RURAL WATER ASSOCIATION IN PARTNERSHIP WITH FDEP AND SRF; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 14, 2023.)

Ms. Geraci-Carver noted the corrections from the first reading to be the correction she made to the title to read "prepared" and the inclusion of Appendix B: Master Asset List.

ACTION: 6:36:14 p.m. **A motion was made by Commissioner Bell and seconded by Vice Mayor DeGrave that the city commission enact Ordinance 2023-022 as previously cited to become effective immediately as provided by law.**

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.

(j) Second Reading and Public Hearing – Ordinance 2023-023 Redistricting Maps

It now being the time advertised to hold a public hearing to consider the enactment of Ordinance 2023-023, after Ms. Geraci-Carver read into the record the title, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, COUNTY OF LAKE, STATE OF FLORIDA, CHANGING THE BOUNDARIES OF THE FIVE CITY COMMISSION DISTRICTS BASED ON POPULATION DATA REVIEWED AND PROVIDED BY LPG URBAN & REGIONAL PLANNERS, INC. AND INCLUSION OF PROPERTY ANNEXED INTO THE CITY OF FRUITLAND PARK SINCE THE ADOPTION OF THE CURRENT DISTRICT BOUNDARIES; ADOPTING A NEW EXHIBIT “A” MAP; AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on December 14, 2023.)

ACTION: 6:37:44 p.m. After discussion, **a motion was made by Commissioner Gunter and seconded by Commissioner Bell that the city commission enact Ordinance 2023-023 as previously cited to become effective immediately as provided by law.**

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.

(k) Second Reading and Public Hearing – Ordinance 2023-020 Comprehensive Plan Amendment Building Heights Restriction

The city commission considered its action to enact Ordinance 2023-020, the substance of which is as follows:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE CITY OF FRUITLAND PARK’S COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35’ WITHIN ALL CITY OF FRUITLAND PARK FUTURE LAND USE DESIGNATIONS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR

CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE. (The first reading was held on December 14, 2023.)

ACTION: 6:38:52 p.m. **On motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission continued its action to enact Ordinance 2023-020 as previously cited to the next meeting at staff's request.**

(l) Second Reading and Public Hearing – Ordinance 2023-019 Land Development Regulations Amendment – Building Heights Restriction

The city commission considered its action to enact Ordinance 2023-019, the substance of which is as follows:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING CHAPTER 154 OF THE CITY OF FRUITLAND PARK'S LAND DEVELOPMENT CODE TO RESTRICT BUILDING HEIGHTS TO 3-STORIES WITH A MAXIMUM HEIGHT OF 35' WITHIN ALL CITY OF FRUITLAND PARK ZONING DISTRICTS APPLICABLE TO ALL PROPERTIES WITHIN THE CITY OF FRUITLAND PARK, FLORIDA; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY OF FRUITLAND PARK LAND DEVELOPMENT CODE; AND PROVIDING FOR APPROVAL AND AN EFFECTIVE DATE. (The first reading was held on December 14, 2023.)

ACTION: 6:39:03 p.m. **On motion of Commissioner Gunter, seconded by Vice Mayor DeGrave and unanimously carried, the city commission continued its action to enact Ordinance 2023-019 as previously cited to the next meeting at staff's request.**

(m) Second Reading and Public Hearing - Ordinance 2023-015 Annexation – 16.67 ± Acres – East US Highway 441/27 and East of Register Road Griffin Preserve – Petitioner: Beryl N. Stokes III

It now being the time advertised to hold a public hearing, after Ms. Geraci-Carver read into the record the title of Ordinance 2023-015, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

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

16.67 ± ACRES OF LAND GENERALLY LOCATED EAST OF US HIGHWAY 441/27 AND EAST OF REGISTER ROAD; 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 first reading was held on December 14, 2023.)

ACTION: 6:39:14 p.m. A motion was made by Vice Mayor DeGrave and seconded by Commissioner Bell that the city commission enact Ordinance 2023-015 as previously cited to become effective immediately as provided by law.

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.

(n) Second Reading and Public Hearing - Ordinance 2023-016 SSCPA 16.67 ± Acres – East US Highway 441/27 and East of Register Road Griffin Preserve – Petitioner: Beryl N. Stokes III

It now being the time advertised to hold a public hearing, after Ms. Geraci-Carver read into the record the title of Ordinance 2023-016, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

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 REGIONAL OFFICE TO CITY SINGLE-FAMILY MEDIUM DENSITY OF 16.67 +/- ACRES OF PROPERTY GENERALLY LOCATED EAST OF US HWY 441/27 AND EAST OF REGISTER ROAD; 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 first reading was held on December 14, 2023.)

ACTION: 6:41:09 p.m. A motion was made by Commissioner Bell and seconded by Commissioner Gunter that the city commission enact the aforementioned Ordinance 2023-016 to become effective thirty-one (31) days after adoption as provided by law.

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.

QUASI-JUDICIAL PUBLIC HEARING

- (o) **Second Reading and Quasi-Judicial Public Hearing – Ordinance 2023-017 Rezoning 16.67± Acres Lake County Agricultural and Light Manufacturing to PUD – East US Highway 441/27 and East of Register Road – Petitioner: Beryl N. Stokes III**

It now being the time advertised to hold a public hearing Ms. Geraci-Carver read into the record the title of Ordinance 2023-017, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 16.67 +/- ACRES OF PROPERTY FROM LAKE COUNTY AGRICULTURE (A) AND LIGHT MANUFACTURING (LM) TO CITY OF FRUITLAND PARK PLANNED UNIT DEVELOPMENT (PUD) WITHIN THE CITY LIMITS OF FRUITLAND PARK; GENERALLY LOCATED EAST OF US HWY. 441/27 AND EAST OF REGISTER ROAD; APPROVING A MASTER DEVELOPMENT AGREEMENT FOR THE PROPERTY; 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 January 11, 2024.)

Ms. Geraci-Carver noted since the first reading, the two changes in the master development agreement (MDA) with Beryl N. Stokes III to be section 3, Land Development to include the date of the conceptual plan *August 28, 2023*, and section 28, Term of Agreement removing *20 years* and replacing it with *five years*.

After Ms. Geraci-Carver swore in Mr. Chris DiMillo, Summerpark Homes, developer representing the applicant, who demonstrated reasons and shared same with staff as to why they are asking for the removal of language in the MDA under Section 6, Residential Standards. . . *or diagonal to each other are prohibited*, she

acknowledged said request that was previously brought to staff's attention and relayed the decision to present same before the city commission.

ACTION: 6:42:28 p.m. After extensive discussions and by **unanimous consent**, the city commission accepted the applicant's request to amend the language in the Master Development Agreement under Section 6, Residential Standards removing . . . *across the street from each other, or diagonal to each other are prohibited* and replacing with *or across the street from each other are prohibited*. . . with the proviso that staff review that said change is not in conflict with the city's existing land development code.

Following further discussion, a motion was made by Vice Mayor DeGrave and seconded by Commissioner Gunter that the city commission enact the subject Ordinance 2023-017 -- as amended to include the aforementioned language with the previously cited direction to staff -- to become effective immediately as provided by law.

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.

(p) **First Reading and Quasi-Judicial Public Hearing – Ordinance 2023-021 MDA 2nd Amendment - Mirror Lake Village PUD Phase II – Maximum Impervious Surface Ratio – Petitioner: Fruitland Park LLC**

The city commission considered its action to approve Ordinance 2023-021, the substance of which is as follows:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING THE MASTER DEVELOPMENT AGREEMENT CONDITIONS OF THE MIRROR LAKE VILLAGE PLANNED UNIT DEVELOPMENT (PUD) TO PROVIDE FOR A MAXIMUM IMPERVIOUS SURFACE RATIO; PROVIDING FOR CONFLICTS, SEVERABILITY, AND SCRIVENER'S ERRORS; AND SETTING AN EFFECTIVE DATE. (The second reading will be held on January 11, 2024.)

Mr. Neil Klaproth, Park Square Homes, representing the applicant who was sworn in by Ms. Geraci-Carver, explained the intent of the change (originally the 50 percent maximum impervious surface ratio (ISR) associated with the development subdivision when they purchased it from the developers), was to manage the net and keeping it at 50 percent. He referred to the December 21, 2023 Planning and Zoning Board's direction to ensure that the ratio disclosures are conveyed to prospective buyers; relayed the development sales team's concurrence to allow the buyer to expand on their lot as much as possible, and referred to the revised lot impervious area plan and lot ISR summary showing modifications for additional

ISRs on the lots; thus, the attempt to establish a minimum of 50 in order for the potential property owner to make additions.

In response to Vice Mayor DeGrave's concerns on the construction of larger homes on small properties to maximize development exceeding the ISR, Mr. Dustin Brinkman, KPM Franklin Project Engineer, who was sworn in by Ms. Geraci-Carver, confirmed that the lot impervious area plan and lot ISR summary are not final; described how they were reviewed and recalculated for the selection of constructed model homes, and indicated that once the numbers are submitted, buyers would be made aware of the maximum allowable at 50 percent.

After Mr. Klaproth addressed the intent to provide options for potential buyers and verified the restructuring of the subject ISR, he gave his assurance on the protection of the surrounding areas from stormwater issues which would allow potential buyers with choices on the variety of homes available, and provide equitable and consistent-sized additional square footage for a shed or lanai.

ACTION: 6:53:05 p.m. After much discussion, a motion was made by Commissioner Bell and seconded by Commissioner Gunter that the city commission approve the previously cited Ordinance 2023-021 and request that by the next meeting, Halff Inc. (consultants retained by the city) review the revised lot impervious area plan and lot impervious surface ratio summary calculations for the selection of the subject constructed model homes.

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

8. (a) **City Manager**
 - i. **Economic Development Status Update**

Mr. La Venia did not address the status on economic development.

ACTION: 7:17:54 p.m. No action was taken.
 - ii. **Commercial Developments Permits Issued Status Update**

Mr. La Venia did not give the status of commercial development permits issued.

ACTION: 7:17:54 p.m. No action was taken.
 - iii. **City Manager Recruiting Firms Status Update Report**

Mr. La Venia conveyed his conversations with Mr. Colin Baenziger, Colin Baenziger & Associates, where he plans to be present before the city commission at its January 25 or February 8, 2024 regular meeting with the

intent to prepare a contract in that regard to which Ms. Geraci-Carver addressed the need for direction from the city commission.

ACTION: 7:17:54 p.m. and 7:31:04 p.m. No action was taken.

iv. City Charter Status Update Report

Mr. La Venia addressed the plan to conduct a charter review with amendments to place on the ballot.

ACTION: 7:18:17 p.m. **By unanimous consent, the city commission agreed to hold a workshop on the city's charter upon the conclusion of the January 25, 2024 regular meeting.**

v. Chief Luce Retirement

After Mr. La Venia announced Chief Luce's intent to retire on March 31, 2024, he expressed his pleasure in working for the city for 12 years and that he will be entering a new chapter in law enforcement.

ACTION: 7:19:04 p.m. The city commission extended their congratulations to Chief Luce.

(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-Craver relayed her discussions with Mr. Donovan A. Roper, attorney at Roper and Roper P.A, regarding the U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845; reported that the order was entered on January 10, 2024 denying the city's motion for the additional \$11,000, and addressed the plan to file another motion for reconsideration and motion for rehearing on same where she will keep the city commission informed.

ACTION: 7:20:48 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 referred to the Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-A-1628 where a status conference was held before the judge who agreed that if that was the plaintiff's preference; the parties could go to mediation which he is in the process of scheduling and reported that he pulled it from the trial docket indicating that he will not place it on same until the party notices it and is ready for trial.

Ms. Geraci-Carver pointed out her conversations with Mr. La Venia earlier this day and addressed the plan to recommend or request that, once

mediation is scheduled, a closed-session meeting ought to be conducted with the city commission before going to mediation.

ACTION: 7:21:11 p.m. No action was taken.

iii. Code of Ordinances – Codification

Ms. Geraci-Carver did not address the code of ordinances codification.

ACTION: 7:20:48 p.m. No action was taken.

vi. 0295 Builder, LLC v. City of Fruitland Park, et al, Lake County Case No. 2023-CA-2919

Ms. Geraci-Carver did not address the 0295 Builder, LLC v. City of Fruitland Park, et al, Lake County Case No. 2023-C-2919.

ACTION: 7:20:48 p.m. No action was taken.

9. UNFINISHED BUSINESS

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

ACTION: 7:22:36 p.m. No action was taken.

10. PUBLIC COMMENTS

Mr. Steven “Steve” Girard Stivlosky, City of Leesburg resident, presented the new human life protection amendment constitutional concept; the future *Personhood Cities* and a literature and bible bookmark on life peace zone; copies of which are filed with the supplemental papers to the minutes of this meeting.

Ms. Christian Nelson, City of Leesburg resident, thanked Chief Luce for his years of committed service and cited a chapter verse from the bible.

ACTION: 7:22:37 p.m. No action was taken.

11. COMMISSIONERS’ COMMENTS

(a) Commissioner Mobilian

Commissioner Mobilian shared his experiences on his trip.

ACTION: 7:28:00 p.m. No action was taken.

(b) Commissioner Bell

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

ACTION: 7:30:02 p.m. No action was taken.

(c) **Commissioner Gunter - Lake County Educational (School) Concurrency Review Meeting**

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

ACTION: 7:30:22 p.m. No action was taken.

(d) **Vice Mayor DeGrave**

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

ACTION: 7:30:25 p.m. No action was taken.

12. MAYOR'S COMMENTS

Dates to Remember

Mayor Cheshire announced the following dates:

- January 15, 2024, City Hall Closed – Dr. Martin Luther King Jr., Day;
- January 19, 2024, *St John's River Water Management District Update*, Lake County League of Cities, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at 12:00 noon;
- January 25, 2024, City Commission regular at 6:00 p.m., and
- January 25, 2024, City Commission workshop to follow the regular meeting.

- February 8, 2024, City Commission regular at 6:00 p.m.;
- February 12, 2024, City Commission Lake County Parks, Recreation and Trails Advisory Board, Lake County Administration Building, Board Chambers, 315 West Main Street, Tavares, Florida 32778 at 3:30 p.m.;
- February 22, 2024, City Commission regular at 6:00 p.m., and
- February 28, 2024, Lake~Sumter Metropolitan Planning Organization Governing Board Meeting, 1300 Citizens Blvd., Suite 175, Leesburg, Florida 34748 at 2:00 p.m.;

ACTION: 7:30:28 p.m. No action was taken.

13. ADJOURNMENT

The meeting adjourned at 7:31 p.m.

The minutes were approved at the January 25, 2024, regular meeting.

Signed 

Esther B. Coulson, City Clerk, MMC

Signed 

Chris Cheshire, Mayor

