

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
February 8, 2024**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, February 8, 2024, 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:** City Attorney Anita Geraci-Carver; City Treasurer Gary Bachmann; Police Chief Erik Luce; Public Works Director Robb Dicus; Human Resources Director John Klein; Deputy Finance Director Dennis Bowers; 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 Keli Fielder, Community Development Department; Lieutenant/Paramedic Ryan Robbins and Firefighter Eddie Simon, Lake County Office of 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 Kelly Smith, Community United Methodist Church, gave the invocation, Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:01:08 p.m. No action was taken.

**2. ROLL CALL**

After Mayor Cheshire requested that Ms. Coulson call the roll where a quorum was declared present, he recognized the absence of Commissioner Mobilian.

ACTION: 6:02:48 p.m. Upon Mayor Cheshire’s recommendation, and **by unanimous consent, the city commission excused the absence of Commissioner John Mobilian from this evening’s meeting.**

**3. Love Week – February 10-18, 2024**

On behalf of the city commission, Mayor Cheshire read into the record a proclamation proclaiming the week of February 10<sup>th</sup> to 18<sup>th</sup>, 2024 as *Love Week* and encouraged everyone to participate by supporting and joining the community to perform acts of kindness and making a difference in creating an atmosphere of partnership and generosity within our city.

ACTION: 6:03:05 p.m. Pastor Kelly accepted the proclamation with thanks.

**4. CONSENT AGENDA**

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

- (a) **Approval of Minutes**  
January 25 regular and January 25, 2024 workshop meeting minutes.
- (b) **Resolution 2024-008 - City Treasurer Appointment**  
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.
- (c) **Resolution 2024-009 - Lake County Library Advisory Board Appointments**  
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A BOARD MEMBER AND AN ALTERNATE BOARD MEMBER TO THE LAKE COUNTY LIBRARY ADVISORY BOARD TO SERVE A FOUR-YEAR TERM; AND PROVIDING FOR AN EFFECTIVE DATE.

**ACTION:** 6:05:45 p.m. **On motion of Commissioner Bell, seconded by Vice Mayor DeGrave and unanimously carried, the city commission approved the consent agenda as previously cited with the Library Advisory Board member appointment Tom Harris and alternate board member Robert Ballenger.**

## **5. REGULAR AGENDA**

- (a) **Fire Department Building Demolition – Quotes**  
The city commission considered its action to approve one of the following three quotes for the demolition of the existing firehouse to make way for the new public safety building:
  - 1) Logan Sitework Contractors Inc. - \$24,565.00;
  - 2) Pece of Mind Environmental Inc. - \$27,400.00;
  - 3) Professional Dirt Services Inc. - \$16,000.00.

**ACTION:** 6:06:45 p.m. After discussion and **on motion of Vice Mayor DeGrave, seconded by Commissioner Gunter and unanimously carried, the city commission approved staff's recommendation to award the fire department building demolition quote for \$16,000 to Professional Dirt Services Inc. as the lowest, responsive and responsible bidder.**
- (b) **Fire Department Asbestos Abatement – Quotes**  
The city commission considered its action to approve one of the following two quotes to remove asbestos mastic below original tile at the firehouse before building demolition:
  - 1) Pece of Mind Environmental Inc. - \$9,395.00, and
  - 2) Clean Building Environmental Contractor Inc. - \$9,971.00

**ACTION:** 6:07:55 p.m. After discussion and **on motion of Commissioner Gunter, seconded by Commissioner Bell and unanimously carried, the city commission approved staff's recommendation to award the fire department asbestos abatement quote for \$9,395 to Pece of Mind Environmental Inc. as the lowest, responsive and responsible bidder.**

**(c) City Manager Recruiting Firm's Status Update Report**

Mr. La Venia acknowledged his impending retirement and the recruitment for his position and recognized the presence of Mr. Colin Baenziger, Colin Baenziger & Associates, at this evening's meeting who met with individual city commission members earlier this day.

Mr. Baenziger gave an overview and outline of the city manager recruitment process.

**ACTION:** 6:09:19 p.m. No action was taken.

**PUBLIC HEARING**

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

**(d) First Reading and Public Hearing Ordinance 2024-003 SRF Amendment No. 2 to Loan Agreement**

After Ms. Geraci-Carver read the following title of proposed Ordinance 2024-003, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF CITY OF FRUITLAND PARK, FLORIDA, APPROVING STATE REVOLVING FUND AMENDMENT 2 TO LOAN AGREEMENT WW350821 AND GRANT AGREEMENT SG350822 BETWEEN THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE CITY OF FRUITLAND PARK, FLORIDA TO MAKE ADJUSTMENTS TO THE LOAN AMOUNT, SEMIANNUAL LOAN PAYMENT, LOAN SERVICE FEE AND PROJECT COSTS TO REFLECT ACTUAL COSTS AND REDUCTION OF THE LOAN AMOUNT; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE. (The second reading will be held on February 22, 2024.)

**ACTION:** 6:16:33 p.m. After discussion, **a motion was made by Vice Mayor DeGrave and seconded by Commissioner Gunter that the city commission approve Ordinance 2023-003 as previously cited.**

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.**

**(e) Second Reading and Public Hearing – Ordinance 2024-002 Solid Waste Rates Increase - Waste Management Inc.**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AN EXTENSION OF ITS SOLID WASTE COLLECTION FRANCHISE AGREEMENT WITH WASTE MANAGEMENT, INC. OF FLORIDA; ADOPTING RATES FOR THE PROVISION OF WASTE MANAGEMENT SERVICES TO THE RESIDENTS OF THE CITY OF FRUITLAND PARK; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on January 25, 2024.)

**ACTION: 6:18:15 p.m. On motion of Vice Mayor DeGrave, Commissioner Gunter and unanimously carried, the city commission continued its action to enact Ordinance 2024-002, as previously cited, to the February 22, 2024 regular meeting at the city attorney's request:**

**(f) First Reading and Public Hearing - Ordinance 2024-001 CDD Enclave at Lake Geneva – 135.4± Acres Between Lake Ella Road and South to Spring Lake Road - Petitioner: Lake Sunders Groves Land LLP**

It now being the time advertised to enact Ordinance 2024-001, after Ms. Geraci-Carver read into the record the following title, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ESTABLISHING THE ENCLAVE AT LAKE GENEVA COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR AUTHORITY AND POWER OF THE DISTRICT; ESTABLISHING THE DISTRICT; PROVIDING FOR THE BOARD OF SUPERVISORS OF THE DISTRICT; PROVIDING FOR FUNCTIONS AND POWERS OF THE DISTRICT; PROVIDING FOR MISCELLANEOUS PROVISIONS; AND PROVIDING AN EFFECTIVE DATE. (The second reading will be held on February 22, 2024.)

After Mr. Rankin described the subject proposed community development district establishment, Ms. Geraci-Carver acknowledged the presence of the petitioner's representative, Messrs. Richard Wohlfarth and Attorney Wesley S. Haber, Kutak Rock LLP, at this evening's meeting who outlined the community development

district's statutory requirements on the transitioning process as resident-controlled board members.

**ACTION:** 6:18:38 p.m. A motion was made by Vice Mayor DeGrave and seconded by Commissioner Bell that the city commission approve Ordinance 2024-001 as previously cited.

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 did not address the status on economic development.

**ACTION:** 6:23:27 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:** 6:23:27 p.m. No action was taken.

iii. **Comprehensive Plan Status Update Report**

At Mr. La Venia's request, Mr. Rankin announced the following proposed timelines during 2024 for the comprehensive plan:

- traffic, housing, public facilities and conservation elements will be conducted inhouse.to April;
- two public hearings to be held in March and one in April;
- the intergovernmental coordination and capital improvements element in May;
- recreation open space, intergovernmental and capital improvements in June;
- continue to work on recreation and open space and capital improvements in July,
- conclude the recreation open space element and tentatively schedule the public hearing in August;
- land use and public schools in September, and
- conclusion for public hearings, excluding city commission meetings, additional updates to the city commission in November and December.

**ACTION:** 6:23:27 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 did not address the U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845.

ACTION: 6:36:30 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 excess proceeds is being worked on with Mr. Donovan A. Roper, attorney at Roper and Roper P.A, who is handling the cases on the city's behalf, to get the funds awarded, and dispersed to the city which is expected to be closing out shortly.

Ms. Geraci-Carver indicated that she is still waiting on dates; anticipated receiving same for the next meeting to publicly make an announcement at that time for closed-session and reported that mediation is tentatively scheduled for April 9, 2024.

ACTION: 6:36:30 p.m. No action was taken.

**iii. Code of Ordinances – Codification**

Ms. Geraci-Carver mentioned her confirmation with CivicPlus that draft prints on the city's code is anticipated for the end of February 2024.

ACTION: 6:37:00 p.m. No action was taken.

**iv. Charter Amendments**

With reference to discussions on charter amendments at the last meeting, Ms. Geraci-Carver referred to the revised proposed charter amendment questions which accompanied her agenda item summary report.

ACTION: 6:25:59 p.m. No action was taken.

**7. UNFINISHED BUSINESS**

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

ACTION: 6:26:26 p.m. No action was taken.

**8. PUBLIC COMMENTS**

After Mayor Cheshire outlined the decorum for this evening's meeting, Mr. Steven "Steve" Girard Stivlosky, City of Leesburg resident, appeared before the commission mentioning

his background on the charter and the constitutional direction of same. He referred to the personhood strategic action plan which he provided to the city commission at the last meeting and distributed a resolution supporting a Fruitland Park declaration of a friendly parenthood city; a copy of which is filed with the supplemental papers to the minutes of this meeting.

After Ms. Crystal Ricco, City of Fruitland Park resident, referred to the ordinance on keeping chickens or fowl, she explained that she and another resident received violations as it is unlawful to keep them; questioned whether the city commission could reconsider, amend said ordinance or implement something on a trial basis, and relayed the neighbors' agreement of same.

After Ms. Geraci-Carver confirmed that she would be able to review Ordinance 95-008 and provide a give better direction as to whether subsection 91.170 of the city's code is enforced, Mayor Cheshire responded that Ms. Geraci-Carver will review the issue in question before the city commission considers same.

ACTION: 6:26:27 p.m. No action was taken.

**9. COMMISSIONERS' COMMENTS**

**(a) Commissioner Mobilian**

Commissioner Mobilian was absent from this evening's meeting.

ACTION: 6:32:53 p.m. No action was taken.

**(b) Commissioner Bell**

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

ACTION: 6:32:54 p.m. No action was taken.

**(c) Commissioner Gunter**

Commissioner Gunter requested that he be excused for the February 22, 2024 regular meeting.

ACTION: 6:33:29 p.m. and 6:34:12 p.m. No action was taken.

**(d) Vice Mayor DeGrave**

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

ACTION: 6:33:32 p.m. No action was taken.

**10. MAYOR'S COMMENTS**

**(a) Dates to Remember**

Mayor Cheshire announced the following dates:

- February 10-18, 2024, Love Week, *Attitude of Generosity and Service within Fruitland Park*:

February 8, 2024, regular

- February 10, 2024 5k Love Run, 205 W Berckman Street, Fruitland Park, Florida 34731 at 8:00 a.m.;
- February 13, 2024, *Showing Love*;
- February 15, 2024, Blood Mobile;
- 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.;
- February 28, 2024, Lake~Sumter Metropolitan Planning Organization (LS~MPO) Governing Board Meeting, 1300 Citizens Blvd., Suite 175, Leesburg, Florida 34748 at 2:00 p.m.;

ACTION: 6:33:36 p.m. No action was taken.

# **11. ADJOURNMENT**

The meeting adjourned at 6:34 p.m.

The minutes were approved at the February 22, 2024, regular meeting.

Signed

Esther B. Coulson, City Clerk, MMC

Signed

Chris Cheshire, Mayor

