

**FRUITLAND PARK CITY COMMISSION REGULAR
MEETING MINUTES
March 14, 2024**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Beckman Street, Fruitland Park, Florida 34731 on Thursday, March 14, 2024, at 6:00 p.m.

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

Members Absent: Vice Mayor Patrick DeGrave and Commissioner John Mobilian.

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; Deputy Finance Director Dennis Bowers; Michael “Mike” Rankin, Interim Community Development Director, LPG Urban & Regional Planners Inc. (consultant retained by the city); Permit and Zoning Technician Kelli Fielder, Community Development Department; Lieutenant Jason Liska and Firefighter Codey Carpenser, 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 Mark LoGiudice, Life Church Assembly of God, gave the invocation, Chief Luce led in the pledge of allegiance to the flag.

ACTION: 6:01:41 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 absences of Vice Mayor DeGrave and Commissioner Mobilian and announced the change to item 6.(a), Resolution 2024-007, staff’s revised report as an addendum to this evening’s agenda:

ACTION: 6:02:55 p.m. Upon Mayor Cheshire’s recommendation, and **by unanimous consent, the city commission excused the absences of Vice Mayor Patrick DeGrave and Commissioner John Mobilian from this evening’s meeting and accepted the change to the agenda.**

3. SPECIAL PRESENTATION

(a) Irish American Heritage Month Proclamation

On behalf of the city commission, Mayor Cheshire read into the record a proclamation proclaiming the month of March 2024 as *Irish-American Heritage Month* and recognized the long history of Irish-American contributions to the State of Florida.

ACTION: 6:03:25 p.m. After Mr. Greg Seán Canning, Ancient Order of Hibernians, accepted with gratitude the proclamation on behalf of the Irish community of Florida, he gave an overview on the meaning of Hibernians; identified

countries around the world that celebrate St. Patrick’s Day, and acknowledged the significant financial contributions from the Irish forebearers and other ethnic or racial groups all over the world who came to the United States to support education of all types.

(b) Love Week February 10-18, 2024 Check Presentation

Ms. Yoder thanked the sponsors, volunteers, and 154 registered runners who participated in the February 10, 2024 5k Love Run and announced that the proceeds of \$2,092.24 will be donated to the City of Fruitland Park’s Utility Charity Fund to assist users who cannot afford to pay their utility bills.

ACTION: 6:11:26 p.m. The check was presented to City Treasurer Gary Bachmann.

4. RECESS TO THE COMMUNITY REDEVELOPMENT AGENCY

On or before 6:15 p.m. recess to the community redevelopment agency.

ACTION: 6:14:02 p.m. **By unanimous consent, the city commission recessed its meeting at 6:14 p.m. to the Community Redevelopment Agency and reconvened at 6:22 p.m.**

5. CONSENT AGENDA

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

(a) Approval of Minutes

February 22, 2024 regular meeting minutes.

(b) Resolution 2024-014 City Manager Recruitment Services Engagement Letter (Agreement) and Addendum - Colin Baenziger & Associates

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE ENGAGEMENT LETTER TO PROVIDE CITY MANAGER RECRUITMENT SERVICES AND ADDENDUM TO ENGAGEMENT LETTER DATED FEBRUARY 16, 2024 BETWEEN THE CITY OF FRUITLAND PARK, FLORIDA AND COLIN BAENZIGER & ASSOCIATES FOR A LUMP SUM FEE OF \$32,500; AUTHORIZING EXECUTION OF THE AGREEMENT AND ADDENDUM; PROVIDING FOR AN EFFECTIVE DATE.

(c) Resolution 2024-015 Calling for Regular Election

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, CALLING FOR A GULAR ELECTION TO FILL VACANCIES ON THE CITY COMMISSION; SETTING AN ELECTION DATE; NAMING THE VACANCIES TO BE FILLED; ESTABLISHING A POLLING LOCATION; ESTABLISHING A QUALIFYING

PERIOD; ESTABLISHING ELECTION PROCEDURES;
PROVIDING FOR ELECTION ARRANGEMENTS; AND
PROVIDING FOR AN EFFECTIVE DATE.

ACTION: 6:22:03 p.m. **On motion of Commissioner Bell, seconded by Commissioner Gunter and unanimously carried, the city commission approved the consent agenda as previously cited.**

5. REGULAR AGENDA

PUBLIC HEARING

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

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

It now being the time advertised to hold a public hearing, after Ms. Geraci-Carver read into the record the following title of Ordinance 2024-002, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, 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 and continued from February 8, 2024.)

ACTION: 6:22:19 p.m. After Ms. Geraci-Carver recognized that the title changed from the first reading, **a motion was made by Commissioner Bell and seconded by Commissioner Gunter that the city commission enact Ordinance 2024-002 as previously cited to become effective immediately as provided by law.**

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

(c) Second Reading and Public Hearing Ordinance 2024-003 SRF Amendment No. 2 to Loan Agreement

It now being the time advertised to hold a public hearing, after Ms. Geraci-Carver read into the record the following title of 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 first reading was held on February 8, 2024 and continued from February 22, 2024.)

ACTION: 6:23:40 p.m. A motion was made by Commissioner Bell and seconded by Commissioner Gunter that the city commission enact Ordinance 2024-003 as previously cited to become effective immediately as provided by law.

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

QUASI-JUDICIAL PUBLIC HEARING

(c) Quasi-Judicial Public Hearing - Resolution 2024-007 Major Site Plan Approval – 24,000 sq Private Garage – Petitioner: Ralph W. Thiele Revocable Trust

It now being the time advertised to hold a public hearing, after Ms. Geraci-Carver read into the record the following title of proposed Resolution 2024-002, Mayor Cheshire called for interested parties to be heard:

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 24,000 SQUARE FOOT PRIVATE GARAGE INCLUSIVE OF AN OFFICE AND RESTROOMS, ASSOCIATED PARKING AND STORMWATER; 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.

Mr. Rankin recognized Scout William “Billy” Campbell III and later acknowledged the presence of Mr. Chris Thompson, representing the applicant. He referred to the proposed major site plan approved at the February 15, 2024 Planning and Zoning Board meeting and relayed staff’s recommendations to strike the following languages under subsections 2.(a) and (b), conditions of approval of the proposed resolution:

- (a) *Prior to the issuance of a building permit, execute and delivery of a right of way deed for Micro Racetrack Road in favor of Lake County, Florida in the form provided by Lake County.*
- (b) *Prior to construction provide exemption from USFWS for a formal cover board survey, or follow requirements of USFWS relating to sand skink study and mitigation.*

ACTION: 6:25:02 p.m. After discussion and **by unanimous consent, the city commission accepted staff's recommendations to strike the previously cited languages under subsections 2.(a) and (b), conditions of approval of the proposed Resolution 2024-007.**

A motion was made by Commissioner Gunter and seconded by Commissioner Bell that the city commission adopt the previously cited Resolution 2024-007 as amended.

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

END OF QUASI-JUDICIAL PUBLIC HEARING

5. (a) City Manager

i. Economic Development Status Update

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

ACTION: 6:29.15 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: 6:29:15 p.m. No action was taken.

iii. Police Chief

Later in the meeting, Mr. La Venia introduced Mr. Gary L. Barrett Jr., the incoming police chief to replace Chief Luce who will be retiring. Mr. Barrett highlighted his background and indicated that he looks forward to working with the city.

ACTION: 6:51:45 p.m. The city commission welcomed Mr. Barrett.

(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 referred to the stipulated order entered relating to the U.S. Bank National Association v. Robert Moore and City of Fruitland Park, Lake County Case No. 2022-CA-00845. She reported that on March 12, 2024, the Lake County Clerk of the Circuit Court and Comptroller's registry will be disbursing a check to the city for \$16,223.19.

ACTION: 6:29:20 p.m. No action was taken.

ii. Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-CA-001628

With respect to the Wayne Goodridge and Tammy Goodridge v. City of Fruitland Park, Lake County Case No. 2022-A-1628, Ms. Geraci-Craver recognized that mediation is scheduled for April 9, 2024. She addressed the need for the city commission's direction on litigation strategy and costs; announced the date of March 28, 2024 to hold a special session (closed to the public but open during a public meeting) at 7:00 p.m. to last for approximately an hour in the commission chambers, and identified the attendees to be the city commission members, city manager, city attorney and Litigation Counsel Mr. Donovan A. Roper, attorney at Roper and Roper P.A, where the proceedings would be recorded by court reporting services (to be identified) which will be posted on the agenda.

ACTION: 6:29:43 p.m. No action was taken.

iii. Code of Ordinances – Codification

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

ACTION: 6:29:20 p.m. and 6:14:22 p.m. No action was taken.

6. UNFINISHED BUSINESS

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

ACTION: 6:31:00 p.m. No action was taken.

7. PUBLIC COMMENTS

After Mr. Joseph "Joe" Sharp, City of Fruitland Park resident, relayed conversations amongst individuals that free-range chickens are not allowed within the city limits, Ms. Geraci-Carver mentioned her review of the provisions under Lake County's Code of Ordinances and pointed out the separate language in the city's code noting that they are prohibited and enforced by the city and not the county.

In response to Mr. Sharp's inquiry as to what can be done to keep chickens, Ms. Geraci-Carver addressed Mayor Cheshire's question regarding the complaints received where she

outlined the code enforcement officer's process on the issuance of violation notices to individuals currently possessing chickens in the city within the time provided before it is considered before the special magistrate and the requirement to change the code by petition from the residents to which Mr. La Venia addressed staff's intent to review the properties where complaints were received.

Following Mr. Sharp's concerns regarding a dying tree by his driveway, Mr. Dicus gestured in the affirmative to Mr. La Venia's question that he would review the matter.

Mr. Sharp pointed out the Fruitland Park's former fire department *Harold Davenport Training building* located at Veterans Memorial Park which was dedicated in memory of the late Harold A. Davenport, a 43-year member of the city's former volunteer fire department, where said building is currently used as storage.

After Mr. Sharp questioned the naming of the proposed New Public Safety Complex in memory of Mr. Davenport, where Commissioner Gunter recalled the city commission's actions at its March 9, 2023 regular meeting to name the building in honor of former Fire Department Chief Thomas "Tommy" Lee Gamble who served the city for 54 years, he offered to provide assistance with the help of volunteer organizations in this regard.

Following some discussion, Commissioner Bell suggested combining the naming of the New Public Safety Complex building in memory or dedication of Harold A. Davenport and Thomas "Tommy" Lee Gamble.

Ms. Carol L. Renn, City of Fruitland Park resident, referred to the century old Pine Ridge Dairy Road; recognized the need for sidewalks on the west side in the city limits, and relayed the following concerns that she has been addressing with Lake County:

- fully loaded heavy trucks, a company from Bellview, Sumter County, constantly travelling approximately a month from 6:30 a.m. to 4:30 p.m. to unload and load sand/dirt ten miles away;
- the trucks' deterioration of the roadway, pavements and hedges as a result,
- the inability for emergency vehicles to access whilst the trucks are on the road, and
- the recent destruction of her garbage can by one of the trucks.

After Ms. Renn indicated that she anticipates a visit from Lake County Sheriff's Office to her home on March 15, 2024 and addressed her plan to travel to Bellview for a replacement can, Chief Luce mentioned his intent to monitor the roadway for routes and safety and contact the trucks' company for more information.

Following further discussion, Mayor Cheshire reassured that staff would review the issue.

Mr. Steven "Steve" Girard Stivlosky, City of Leesburg resident, referred to his previous appearances before the city commission on the possible concept to include with the city's charter review the inclusion of personhood cities and pro-life history and distributed information on same; a copy of which is filed with the supplemental papers to the minutes of this meeting.

Ms. Christian Nelson, City of Leesburg resident, cited a verse from the bible on the word “fruit” and her opinion on the unborn child and believed that the process ought to be considered.

ACTION: 6:31:04 p.m. No action was taken.

9. COMMISSIONERS’ COMMENTS

(a) Commissioner Mobilian

Commissioner Mobilian was absent from this evening’s meeting.

ACTION: 6:50:24 p.m. No action was taken.

(b) Commissioner Bell

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

ACTION: 6:50:33 p.m. No action was taken.

(c) Commissioner Gunter

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

ACTION: 6:50:38 p.m. No action was taken.

(d) Vice Mayor DeGrave

Vice Mayor DeGrave was absent from this evening’s meeting.

ACTION: 6:50:24 p.m. No action was taken.

10. MAYOR’S COMMENTS

(a) Dates to Remember

Mayor Cheshire announced the following dates:

- March 22 and 23, 2024 (Fruitland Park Day) *Bulls and Broncs Rodeo*, Windy Acres Arena, 1350 Miller Boulevard, Fruitland Park, Florida 34731 at 5:00 p.m.;
- March 23, 2024, Fruitland Park Day, 506 West Berckman Street, Fruitland Park, Florida 34731 at 10:00 a.m.;
- March 28, 2024, City Commission regular at 6:00 p.m. with Closed-Session to follow;

- April 10, 2024, *Reading Between the Wines*, Fruitland Park Library, 604 West Berckman Street, Fruitland Park, Florida 34731 at 4:00 p.m.;
- April 11, 2024, AARP Tax-Aide, Fruitland Park Library, 604 West Berckman Street, Fruitland Park, Florida 34731 at 9:00 a.m.;
- April 11, 2024, *Pieces of my Mind* Meet the Poet, Fruitland Park Library, 604 West Berckman Street, Fruitland Park, Florida 34731 at 2:00 p.m.;
- April 11, 2024, City Commission regular at 6:00 p.m.;

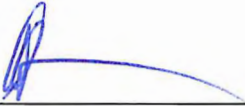
- April 12, 2024, *State of Elections*, Lake County League of Cities, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora, Florida 32757 at noon;
- April 13, 2024, Mommy and Son Mess, Northwest Lake Park Soccerfield, 300 Shiloh Street, Fruitland Park, Florida 34731 at 10:00 a.m.;
- April 24, 2024, Lake~Sumter Metropolitan Planning Organization Governing Board Meeting, 1300 Citizens Blvd., Suite 175, Leesburg, Florida 34748 at 2:00 p.m., and
- April 25, 2024, City Commission regular at 6:00 p.m.

ACTION: 6:50:42 p.m. No action was taken.

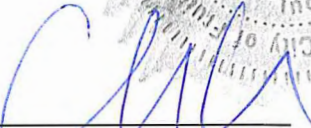
11. ADJOURNMENT

The meeting adjourned at 6:54 p.m.

The minutes were approved at the March 28, 2024 regular meeting.

Signed 

Esther B. Coulson, City Clerk, MMC

Signed 

Chris Cheshire, Mayor

