

**FRUITLAND PARK CITY COMMISSION REGULAR  
MEETING MINUTES  
November 10, 2016**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, November 10, 2016 at 7:00 p.m.

**Members Present:** Mayor Christopher Bell, Vice Mayor John L. Gunter, Jr., Commissioners Christopher Cheshire, Ray Lewis, and Rick Ranize.

**Also Present:** City Manager Gary La Venia, City Attorney Anita Geraci-Carver, Assistant City Treasurer Susan Parker; Lieutenant Erik D. Luce Police Department, Deputy Chief Dennis Cutter, Police Department, Assistant Fire Chief Don Gilpin; Lieutenant Tim Yoder, Fire Department; Community Development Director Charlie Rector, Public Works Director Dale Bogle; Michelle Yoder, Parks and Recreation Director, Marie Azzolino, Human Resources and City Clerk Esther B. Coulson.

**1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

The Reverend Jim Keegan, New Life Presbyterian, gave the invocation.

**Pledge of Allegiance**

Chief Fewless led in the Pledge of Allegiance to the Flag.

**2. ROLL CALL**

At the request of Mayor Bell, Ms. Coulson called the roll and a quorum was declared present.

**3. SWEARING INTO OFFICE – ADMINISTRATION OF OATH**

After Mayor Bell recognized the installation of the following elected officials, Ms. Coulson administered the oath:

- Chris Bell - District 5
- John Gunter Jr. - District 4, and
- Chris Cheshire - District 3

The respective city commissioners were congratulated on their re-election.

**4. ELECTION**

**(a) Election of Mayor**

After outgoing Mayor Bell explained the charter change on the election of mayor and vice mayor, he called for nominations for the position of City of Fruitland Park Mayor for 2017.

**Mayor Bell placed in nomination the name of John L. Gunter Jr., as mayor.**

**Vice Mayor Gunter declined the position of mayor and placed in nomination the name of Chris Cheshire as mayor.**

**Commissioner Lewis placed in nomination the name of Chris Cheshire as mayor.**

**There being no further nominations and on motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission declared the nominations closed.**

**After Commissioner Cheshire accepted the appointment, a motion was made by Vice Mayor Gunter, seconded by Commissioner Lewis and unanimously carried, the city commission approved the unanimous election of Chris Cheshire as City of Fruitland Park Mayor for 2017.**

**At this time, Commissioner Bell relinquished the chair and passed the gavel to Mayor Cheshire who assumed the chair.**

**(b) Election of Vice Mayor**

**Mayor Cheshire called for nominations for the position of Vice Mayor of the City of Fruitland Park for 2017.**

**Commissioner Bell placed in nomination the name of John L. Gunter Jr. as vice mayor.**

**There being no further nominations, and on motion made by Commissioner Lewis, seconded by Commissioner Bell and unanimously carried, the city commission declared the nominations closed.**

**After Vice Mayor Gunter accepted the position of vice mayor, a motion was made by Commissioner Ranize, seconded by Commissioner Lewis and unanimously carried, the city commission approved the unanimous election of John L. Gunter Jr., as City of Fruitland Park Vice Mayor for 2017.**

**5. PUBLIC COMMENTS**

There were no public comments at this time.

**6. CONSENT AGENDA**

**Approval of Minutes**

**On motion of Commissioner Ranize, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the October 13, and October 27, 2016 regular meeting minutes as submitted.**

**7. REGULAR AGENDA**

**(a) Resolution 2016-055 – LSMPO CAC Appointment – R Willie**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER TO THE LAKE~SUMTER METROPOLITAN PLANNING ORGANIZATION CITIZENS' ADVISORY COMMITTEE; PROVIDING THE TERM EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

After discussion and **on motion of Commissioner Lewis, seconded by Commissioner Ranize and unanimously carried, the city commission postponed its action to adopt Resolution 2016-055 as previously cited.**

**(b) i. Resolution 2016-056 – LCLC – Member and Alternate Appointments**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2016-056, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPOINTING A MEMBER AND ALTERNATE TO THE LAKE COUNTY LEAGUE OF CITIES; PROVIDING THE TERM EXPIRATION DATE; AND PROVIDING FOR AN EFFECTIVE DATE.

**On motion of Commissioner Lewis, seconded by Commissioner Bell and unanimously carried the city commission adopted Resolution 2016-056 approving Commissioner Chris Bell as member and Vice Mayor John Gunter as alternate.**

**ii. Supplemental Item: Lake County Committees**

The city commission considered its action on city commission elected officials' representation on the Lake County League of Cities' Committees.

Later in the meeting, Commissioner Bell described the vacancy, composition, and meetings on the Lake Emergency Medical Services (EMS) Board of Directors and recognized the county's Keep Lake Beautiful Committee and the Water Safety Advisory Committee. After he gave reasons why there may be an appearance of a potential conflict of interest if he continues to serve on Lake EMS and his likelihood to resign from same, Commissioner Ranize expressed his interest, that being the case, to serve on said board.

After further discussion, Mayor Cheshire suggested that commission members desiring to serve on the respective committees ought to contact Ms. Coulson.

(c) **Resolution 2016-050 – NW Lake Community Park Soccer Field Joint Development ILA**

Ms. Geraci-Carver read into the record the title of the following proposed Resolution 2016-050:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK REGARDING JOINT DEVELOPMENT OF A SOCCER FIELD AT NORTHWEST LAKE COMMUNITY PARK; PROVIDING FOR AN EFFECTIVE DATE.

Commissioner Ranize voiced concerns on the provisions outlined in the agreement including the approval process; gave reasons why the proposed soccer field is too cost prohibitive, and believes that the city ought to pay for the property as he believes six acres is inadequate.

In response, Commissioner Bell noted the future master development plans for the subject site where he would question finding a larger piece of property; recalled the partnership the city entered into in 2014 with the county for future development of the expanded North West Lake Community Park, and recognized the county's offer of \$100,000 for two soccer fields.

Following further discussion, **a motion was made by Commissioner Bell and seconded by Commissioner Lewis that the city commission adopt Resolution 2016-050, as previously, cited with the city commission members voting as follows:**

<b>Commissioner Bell</b>	<b>Yes</b>
<b>Commissioner Lewis</b>	<b>Yes</b>
<b>Commissioner Ranize</b>	<b>No</b>
<b>Vice Mayor Gunter</b>	<b>Yes</b>
<b>Mayor Cheshire</b>	<b>Yes</b>

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

(d) **Resolution 2016-057 – GSG Fire Services Advisory Board Support**

Ms. Geraci-Carver read into the record the title of the following proposed Resolution 2016-057:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ACCEPTING THE PROPOSAL OF GSG, INC. FOR FIRE SERVICES ADVISORY BOARD SUPPORT; PROVIDING FOR AN EFFECTIVE DATE.

After Mr. La Venia described Governmental Services Group Inc.'s proposal, he explained that if the advisory board decides to choose utilizing said company and Skype Communications for meetings (free online voice and/or video call) with them is utilized during its proceedings, the hourly rate would be used.

**On motion of Commissioner Bell, seconded by Commissioner Ranize and unanimously carried, the city commission adopted Resolution 2016-057 as previously cited.**

**(e) Residential Contract – A. Gamble**

The city commission considered its action to approve the residential contract with Mr. Adam Gamble., property owner

After Mr. La Venia requested contingent approval of the subject contract based on the ability of Mr. Gamble annexing the property into the city as well as the adjacent property owner's, Mr. Chuck Johnson, representing, Mr. Gamble, relayed his desire to donate the land to the city; requested the need to receive assurance from the city, and agreed in the affirmative that the subject issue is contingent on such assurance whereby the contract would be forwarded to the city attorney for review and approval to proceed.

**On motion of Commissioner Ranize, seconded by Vice Mayor Gunter and unanimously carried, the city commission approve the contract between Adam Gamble, property owner, and the City of Fruitland Park, on the purchase of a portion of property located on the northwest corner of 1629 Miller Boulevard.in the amount of \$15,000.00 and authorized the mayor to execute same.**

## SECOND BUDGET PUBLIC HEARING

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

**(f) Second Budget Public Hearing - Resolution 2016-053 – Adopted Millage Rate – FY 2016-17**

It now being the time advertised to hold a public hearing to consider the adoption of Resolution 2016-054, Mayor Cheshire:

- announced the setting of the final adoption millage rate of 3.9863 (representing a 22% increase over the roll back rate of 3.2632 and a reduction of 0.7508 mills);
- noted the \$208,395 increase of roll back rate due to the 76% increase in taxable value increase of approximately \$131,347,471 (an assessed value as a result of The Villages ad valorem increase and an increased taxable value that they generated), and

- called for interested parties to be heard.

Ms. Geraci-Carver read into the record proposed Resolution 2016-053, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A FINAL OPERATING MILLAGE RATE OF 3.9863 LEVYING OF AD VALOREM TAXES FOR LAKE COUNTY FOR FISCAL YEAR 2016-2017; PROVIDING FOR AN EFFECTIVE DATE. (The first budget public hearing was held on September 8, 2016.)

Ms. Racine-Michaud referred to the letter dated October 20, 2016 from Dr. Maurice M. Gogarty, Florida Department of Revenue Property Tax Oversight Program, regarding the city's ability to remedy the violations in the Truth-in-Millage TRIM law.

Mayor Cheshire called for interested parties to be heard.

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

Following further discussion, **a motion was made by Commissioner Lewis and seconded by Commissioner Ranize that the city adopt Resolution 2016-053 as previously cited.**

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

**(g) Second Budget Public Hearing - Resolution 2016-054 – Adopted Budget FY 2016-17**

It now being the time advertised to hold a public hearing to consider the adoption of Resolution 2016-054, Ms. Geraci-Carver read into the record the following title, the substance of which is as follows, and Mayor Cheshire called for interested parties to be heard:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING THE FINAL BUDGET FOR FISCAL YEAR 2016-2017; PROVIDING FOR AN EFFECTIVE DATE. (The first budget public hearing was held on September 8, 2016.)

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

**A motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the city commission adopt Resolution 2016-054 as previously cited.**

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

**(h) Second Reading and Public Hearing - Ordinance 2016-022 Nonresidential Design Standards LDR Amendment**

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2016-022, the substance of which is as follows, Ms. Geraci-Carver read into the record the title, and Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR AMENDMENT OF THE CITY LAND DEVELOPMENT REGULATIONS; SPECIFICALLY AMENDING CHAPTER 154 OF THE LAND DEVELOPMENT REGULATIONS RELATING TO NONRESIDENTIAL DESIGN STANDARDS; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY; AND AN EFFECTIVE DATE.  
(The first reading was held on October 27, 2016.)

Mr. Rector gave a brief background of the proposed ordinance.

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

After discussion, **a motion was made by Commissioner Ranize and seconded by Vice Mayor Gunter that the city commission enact Ordinance 2016-022, 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.**

<b>Vice Mayor Gunter</b>	<b>Yes</b>
<b>Commissioner Ranize</b>	<b>No</b>
<b>Commissioner Lewis</b>	<b>Yes</b>
<b>Commissioner Bell</b>	<b>Yes</b>
<b>Mayor Cheshire</b>	<b>Yes</b>

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

**QUASI-JUDICIAL PUBLIC HEARING**

(i) **Second Reading and Quasi-Judicial Public Hearing - Ordinance 2016-024 Annexation - CR 466A-West Timbertop Lane – Applicant James Phillips**

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2016-024, 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 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 1.0 ± ACRE OF LAND GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; 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 SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on October 27, 2016.)

Mr. Rector gave a summary of the proposed amendment.

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

**A motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the city commission enact Ordinance 2016-024 to become effective immediately as provided by law.**

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

(j) **Second Reading and Quasi-Judicial Public Hearing - Ordinance 2016-023 Comprehensive Plan SSCPA - CR 466A-West Timbertop Lane - Applicant: James Phillips**

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2016-023, 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 COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE



MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 1.0± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on October 27, 2016.)

Ms. Geraci-Carver concurred in the affirmative to the preference expressed by Vice Mayor Gunter that for future quasi-judicial proceedings, individuals and members of the public providing evidence ought to be sworn before giving testimony.

After Mr. Rector was sworn in by Ms. Geraci-Carver, he highlighted the proposed ordinance.

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

**A motion was made by Commissioner Bell and seconded by Vice Mayor Gunter that the city commission enact Ordinance 2016-023, as previously cited, to become effective thirty-one (31) days after adoption by the city commission.** (If this ordinance is challenged within thirty (30) days after its adoption, it may not become effective until the state land planning agency or Administrative Commission, respectively, issues a final order determining that this ordinance is in compliance.)

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

**(k) Second Reading and Quasi-Judicial Public Hearing - Ordinance 2016-025 Rezoning AG-C2 - CR 466A-West Timbertop Lane - Applicant: James Phillips**

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2016-025, 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 COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 1.0 ± ACRES OF THE PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN

CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on October 27, 2016.)

Mr. Rector, who was previously sworn, highlighted the proposed use on the subject rezoning..

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

**A motion was made by Vice Mayor Gunter and seconded by Commissioner Bell that the city commission enact Ordinance 2016-025, as previously cited, to become effectively immediately upon the effective date of the comprehensive plan amendment for the subject property. No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.**

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

**(1) Second Reading and Quasi-Judicial Public Hearing Ordinance 2016-026 Annexation - CR 466A-West Timbertop Lane Applicant: Charles Johnson and Owners: Kurt and Suzanne Damron**

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2016-026, 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 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 6.0 ± ACRES OF LAND GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; 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 SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on October 27, 2016.)

Mr. Rector, who was previously sworn, briefly summarized the subject proposed boundary amendment.

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

**A motion was made by Commissioner Lewis and seconded by Commissioner Ranize that the city commission enact Ordinance 2016-026, as previously cited, to become effectively immediately as provided by law.**

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

**(m) Second Reading and Quasi-Judicial Public Hearing Ordinance 2016-027 Comprehensive Plan Amendment SSCPA CR 466A West Timbertop Lane - Applicant: Charles Johnson and Owners: Kurt and Suzanne Damron**

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2016-027, 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 COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A COMPREHENSIVE PLAN AMENDMENT AMENDING THE FUTURE LAND USE DESIGNATION FROM COUNTY URBAN LOW TO CITY COMMERCIAL ON THE FUTURE LAND USE MAP OF THE CITY OF FRUITLAND PARK'S COMPREHENSIVE PLAN FOR APPROXIMATELY 6.0± ACRES OF PROPERTY GENERALLY LOCATED NORTH OF CR 466A AND WEST OF TIMBERTOP LANE; AUTHORIZING THE CITY MANAGER TO AMEND SAID COMPREHENSIVE PLAN; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on October 27, 2016.)

Mr. Rector, who was previously sworn, gave a brief summary of the proposed comprehensive plan.

There being no comments 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.**

**A motion was made by Commissioner Ranize and seconded by Commissioner Lewis that the city commission enact proposed Ordinance 2016-027 to become effective thirty-one (31) days after adoption by the city commission. If the ordinance is challenged within thirty (30) days after adoption, it may not become**

effective until the state land planning agency or administrative commission, respectively issues a final order determining that the ordinance is in compliance.

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

**(n) Second Reading and Quasi-Judicial Public Hearing Ordinance 2016-028 Rezoning - AG-C2 – Applicant: Charles Johnson and Owners: Kurt and Suzanne Damron**

It now being the time advertised to hold a public hearing to consider the enactment of proposed Ordinance 2016-028, 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 COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 6.0 ± ACRES OF THE PROPERTY FROM LAKE COUNTY AGRICULTURE (AG) TO GENERAL COMMERCIAL (C-2) WITHIN THE CITY LIMITS OF FRUITLAND PARK; PROVIDING FOR CONDITIONS AND CONTINGENCIES; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on October 27, 2016.)

Mr. Rector who was previously sworn, briefly summarized the subject location

There being no comments 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.**

**A motion was made by Commissioner Ranize and seconded by Commissioner Bell that the city commission enact Ordinance 2016-028, as previously cited, to become effective effectively immediately upon the effective date of the comprehensive plan amendment for the subject property.** No development permits or land uses dependent on this amendment may be issued or commence before it has become effective.

**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**

**SUPPLEMENTAL AGENDA ITEM**

**(o) Resolution 2016-058 Audit Committee Establishment – Auditor Selection Procedures**

Ms. Geraci-Carver read into the record the title of proposed Resolution 2016-058, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ESTABLISHING AN AUDIT COMMITTEE; DESIGNATING MEMBERS OF THE AUDIT COMMITTEE; ESTABLISHING THE DUTIES OF THE AUDIT COMMITTEE, AND PROVIDING FOR AN EFFECTIVE DATE.

After Ms. Racine-Michaud described the proposed resolution and recommended approval, Commissioner Bell referred to his meeting, earlier this day, with Mr. La Venia and suggested based on the willingness of Commissioner Lewis, Meses. Racine-Michaud and Coulson, that they ought to serve on the committee.

Following some discussion and **on motion of Commissioner Ranize, seconded by Commissioner Bell and unanimously carried, the city adopted previously cited Resolution 2016-058, as amended. to include the language under Section 2 to reflect: The audit committee for the next auditor selection shall consist of Commissioner Ray Lewis, the city treasurer, and the city clerk. The city treasurer shall chair this committee and committee members shall serve without compensation.**

**8. NEW BUSINESS**

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

**9. OFFICERS' REPORTS**

**(a) City Manager**

**Police Department – Police Chief**

**i. Fire Department**

Mr. La Venia referred to his memorandum dated November 8, 2016 regarding the appointment of Donald Gilpin as volunteer interim Fire Chief for the City of Fruitland Park Fire Department and based on the outcome of the current Fire Services Advisory Committee, a determination would be on the position of the fire chief. (A copy of the memorandum is filed with the supplemental papers to the minutes of this meeting.)

**ii. Code Enforcement**

Mr. La Venia announced that Ms. Lori Davis will be employed as the city's code enforcement officer and is expected to start during the week of December 5, 2016.

**iii. Police Department**

Chief Fewless gave a statistical updated report on the police department's ongoing activities (including the forthcoming *Shop with a Cop* program on December 10, 2016); highlighted the department's implementation of processing systems in attempting to become an accredited agency, and noted the price quotation from Spillman Technologies Inc. for a records management system; copies of which he previously distributed are filed with the supplemental papers to the minutes of this meeting.

Chief Fewless referred to the recent passage of Florida Medical Marijuana Legalization, Amendment 2 Ordinances which was on the November 8, 2016 ballot; pointed out Lake County's proposed ordinance establishing temporary moratorium prohibiting medical cannabis activities and the City of Leesburg's proposed ordinance regulating same.

In answering Chief Fewless' recommendation to consider a similar ordinance to keep such organizations out of the city, Mayor Cheshire referred to Medical Marijuana Moratorium Ordinance 2014-023 which failed on the November 4, 2015 ballot and Ms. Geraci-Carver indicated that it could be reviewed and put into place until the city's allowable zoning uses under its Land Development Regulations are revised and that she would communicate with Ms. Coulson to obtain a copy of same.

Commissioner Lewis pointed out Lake County District 1 Commissioner Timothy I. Sullivan's presentation at the October 14, 2016 Lake County League of Cities' meeting regarding the county's actions of proposing a six-month moratorium on medical marijuana establishments to prepare allowable regulations on dispensing locations and encouraged the municipalities to support same. Commissioner Lewis suggested that Ms. Geraci-Carver submit same mirroring the county's efforts as a future city commission agenda item.

Chief Fewless pointed out his presentation before the city commission at its July 11, 2016 budget workshop on the need for additional law enforcement officers due to the heavy presence of crime near the city and expressed concerns in that regard. He referred to WFTV 9 ABC News featured on November 9, 2016 entitled: *Leesburg Police Beef up Patrols After Recent String of Neighborhood Shootings*; pointed out his conversations with the City of Leesburg Police Chief Rob Hicks, and described the working hourly shifts for the City of Fruitland Park's law enforcement personnel as mentioned in his earlier report.

**(b) City Attorney**

**i. Medical Cannabis Activities Temporary Moratorium - Lake County**

Ms. Geraci-Carver referred to Chief Fewless' earlier presentation regarding the county's enacted ordinance establishing Temporary Moratorium

Prohibiting Medical Cannabis Activities until May 23, 2017; noted her conversations with the county attorney agreeing with her interpretation of the county's intent to study the districts on dispensaries applicable in the incorporated areas of the county. Ms. Geraci-Carver noted the legislature's procedures to implement laws governing same and that a draft moratorium ordinance to study those areas would be submitted for the city commission's consideration at a future meeting.

Ms. Geraci-Carver agreed with Mr. Rector's request to meet on the issue in question.

**ii. Angelica Dobruck vs. City of Fruitland Park et. al. and George Fernandez v. City of Fruitland Park**

Ms. Geraci-Carver stated that she is waiting for the court to rule on the city's motion to dismiss on the Angelica Dobruck and George Fernandez pending lawsuits.

**10. COMMISSIONERS' COMMENTS**

**(a) Commissioner Ranize**

**i. Notice of Claim**

In response to concerns raised by Commissioner Ranize on not being notified on notices of claims, Ms. Geraci-Carver described the procedures involved and explained that the notice of claim received by the city and subsequently forwarded to the city's insurance carrier; however, the city was not served with a lawsuit.

Ms. Geraci-Carver assured the commission that they will be notified of such claims in the future.

**ii. City Clerk**

After Commissioner Ranize expressed problems faced by Ms. Coulson in preparing last-minute items to be placed on the city commission agenda before distribution and the need to work with her in this regard, Commissioner Bell, in response, referred to Mr. La Venia's memorandum dated October 26, 2016 to the department heads on the deadline date to submit agenda items; a copy of which is filed with the supplemental papers to the minutes of this meeting.

**iii. Second Annual Trick-or-Trot Costume 5k**

Commissioner Ranize thanked the employees for the October 29, 2016 *Trick-or-Trot Costume 5k* Event.

**iv. Veterans Park**

Commissioner Ranize praised staff for the improvements made at Veterans Park.

(b) **Commissioner Bell**

i. **Coffee with the Mayor**

Commissioner Bell reported on the turnout at the November 5, 2016 *Coffee with the Mayor* event at Moyer Recreation Center and noted the request to provide assistance at the city which was well received.

ii. **Parks and Recreation Trails Advisory Board**

Commissioner Bell reported that he was appointed as Lake County Parks. Recreation Trails Advisory Board Vice Chair and will be presiding as chair at its November 14, 2016 meeting.

iii. **2017 Lake Legislative Days**

Commissioner Bell addressed the need to register to attend the 2017 Lake Legislative Days in Tallahassee as soon as possible.

iv. **Veterans Day**

Commissioner Bell explained that he was recently approached by the John Gella Memorial Unit 219 Inc., of the American Legion Auxiliary and relayed their question as to he would be speaking at the November 11, 2016 Veterans Day event.

Commissioner Bell conveyed his response to the American Legion at that time that as a result of the city's election, he would be unsure as to whether he would be the mayor or not at that time and shared their request for him to speak as the printed program has already listed him as mayor.

Mayor Cheshire, in answering, thanked Commissioner Bell and explained that he had no problem in that regard and recognized the December 17, 2016 *Wreaths of America* event.

(c) **Commissioner Lewis**

i. **Excused Absence**

Commissioner Lewis thanked the commission for excusing him at the October 27, 2016 regular meeting.

ii. **FSAC**

Commissioner Lewis recognized that the November Fire Safety Advisory Committee meeting will be held at 7:00 p.m.; questioned Mr. Paul Frost, City of Fruitland Park citizen, present at this evening's meeting on the public's awareness of same through the social media "*What's Happening Now*" Facebook platform as a possible means of communication and addressed the importance for the citizens to appear and continue to provide input before the committee.



- (d) **Vice Mayor Gunter, Jr.**
- i. **Second Annual *Trick-or-Trot Costume 5k***  
Vice Mayor Gunter thanked the police and fire departments for a job well done at the October 29, 2016 *Second Annual Trick-or-Trot Costume 5k*.
  - ii. **Election of Vice Mayor**  
Vice Mayor Gunter thanked the city commission for electing him as vice mayor for 2017 and expressed his intent to serve as best as he can.
  - iii. **Second Budget Public Hearing FY 2016-17 Budget**  
Vice Mayor Gunter recognized the Daily Commercial's newspaper public hearing notice this day on the City of Leesburg's FY 2016-17 Budget.

11. **MAYOR'S COMMENTS**

- (a) **Election of Mayor**  
Mayor Cheshire thanked the city commission for their confidence in selecting him as mayor for 2017 and thanked Commissioner Bell for 12 years of service as mayor.
- (b) **FASC**  
In concurring with Commissioner Lewis, Mayor Cheshire addressed the need for more accessibility for the public; maintain a good level of transparency, and relay more information to the public in order for them to understand the city's activities.
- (c) **Second Annual *Trick-or-Trot Costume 5k***  
Mayor Cheshire recognized the October 31, 2016 *Trunk or Treat* event at Community United Methodist Church which was successful; however, he expressed concerns on the children's safety when crossing the intersection at CR 466A and College Avenue.
- (d) **2017 Lake Legislative Days**  
In response to a question posed by Mayor Cheshire regarding the 2017 Lake Legislative Days, Ms. Geraci-Carver explained the procedures when one or more city commissioner meet with the legislatures and Mr. La Venia described the composition of the Legislative Advocacy meetings where different elected officials are selected to serve on separate committees.
- (e) ***Coffee with the Mayor***  
Mayor Cheshire referred to his previous discussions with Mr. La Venia and voiced his support on the *Coffee with the Mayor* event.
- (g) **Dates to Remember**  
Mayor Cheshire noted the following dates:
- November 11, 2016 City Offices Closed – Veterans Day, Shiloh Cemetery, Fruitland Park at 11:00 p.m. where he expressed his gratitude to all the veterans;

- November 14, 2016, Parks. Recreation Trails Advisory Board;
- November 24 and 25, 2016 Regular City Commission Meeting Cancelled – Thanksgiving and Day After Thanksgiving - City Hall Closed;
- December 2, 2016 Employee *Holiday Celebration*;
- December 8, 2016 regular city commission meeting;
- December 8, 2016, Movie on the Lawn, “Polar Bear Express”, Fruitland Park City Hall at 6:00 p.m.;
- December 9, 2016, Hometown Christmas, City Hall at 5:30 p.m.;
- December 15, 2016, *Employee Appreciation Luncheon* Heritage Community Church;
- December 17, 2016 Fourth Annual Wreaths Across America at Shiloh Cemetery, and
- December 22, 2016, Regular City Commission Meeting at 7:00 p.m. - Cancelled

**12. ADJOURNMENT**

**There being no further business to come before the city commission at this time, on motion made, second and unanimously carried, the meeting adjourned at 8:36 p.m.**

The minutes were approved at the December 8, 2016 regular meeting.

Signed \_\_\_\_\_  
Esther B. Coulson, City Clerk

Signed \_\_\_\_\_  
Chris Cheshire, Mayor