**APPROVED: 1/6/2022**

# MINUTES
# Regular City Commission Meeting
**6:10 PM - Thursday, December 16, 2021 - City Hall**

**INVOCATION: PASTOR GENE GREEN, EUSTIS FIRST ASSEMBLY OF GOD**

**PLEDGE OF ALLEGIANCE: COMMISSIONER HAWKINS**

**CALL TO ORDER: 6:01 P.M.**

**ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE**

**PRESENT:** Commissioner Willie Hawkins, Vice Mayor Emily Lee, Commissioner Karen LeHeup-Smith, Commissioner Nan Cobb and Mayor Michael Holland

## 1. AGENDA UPDATE: NONE

## 2. APPROVAL OF MINUTES

**2.1** November 18, 2021 - Regular City Commission Meeting
December 2, 2021 - Regular City Commission Meeting

Moved by Vice Mayor Lee, seconded by Commissioner Hawkins, to approve the Minutes as submitted. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

## 3. PRESENTATIONS

**3.1** Update on progress on Greenwood Cemetery

Rick Gierok, Public Works Director, introduced the new Cemetery Sexton Neil Geber. He then provided an update on the status of the Greenwood Cemetery along with a brief history of the cemetery. He cited the long term goals prepared for the City in 2012. He noted discussion that was held regarding the possibility of selling the cemetery. He announced that the current year operating budget is $177,000 with a balance in the trust fund of $279,000. He explained that the City does not have perpetual care. He reported on the recent turnover in cemetery staff and noted that John Fairweather was promoted to Assistant Sexton in September. He then discussed the challenges facing the cemetery and presented a sample of what the staff has to deal with in the old records.

Mr. Gierok then explained the process staff is using to create a GIS model of the cemetery, how they are working to incorporate the burial information into the database and what to expect moving forward. He stated he would be hiring a temporary person to incorporate the information on the data cards into the database.

Mr. Gierok then announced they would be resurfacing the cemetery roads in the current fiscal year and updating the irrigation system. He provided a comparison of cemetery fees with other area cities.

The Commission asked how they handle the collection of fees with Mr. Gierok indicating they do not accept credit cards at the cemetery. He suggested having a workshop to discuss the fee schedule and then they could see what would be needed to accept credit cards.

Mayor Holland indicated he had been working on the fee schedule with the previous City Manager and stated he would provide the information to Mr. Gierok. He noted that the City operates the cemetery at almost a $100,000 loss annually.

Mr. Gierok then reported on maintenance of the SR19 islands noting some of the plants that need to be replaced. He cited a product recommended by the City's contract landscape architect which consists of a mat of vegetation that gets rolled out.

The Commission commented on an old program of sponsorships for the islands and the possibility of bringing that back.

## 4. AUDIENCE TO BE HEARD

**4.1** Rick Prince addressed the Commission regarding the City's high millage rate, the water and sewer rates, questioned how the funds are being used and cited the need to spruce up the City.

Donna Manning addressed the Commission regarding issues in Sharp's Mobile Home Park noting that she is actually suing the owners.

Mayor Holland indicated that the park is already under Code Enforcement and they are working with them on the issues.

Ms. Manning complained about lack of police response with Mayor Holland asking her to contact Chief Capri for assistance.

Joellen Mitchell expressed concern regarding the presence of raw sewage running down the street in the park. She indicated that the owner was told they had to bring the sewer system up to code before it can be sold. She complained that there are more trailers installed than are supposed to be there and stated that the City is a contributing factor to the problems. She expressed concern regarding the status of the water and sewer lines and the leakage of septic into the lake and drinking water.

Nayana Patel provided an update on the status of the Colonial Inn motel and reported on an incident that occurred on Monday. She then stated that the independent inspector from Universal would have the inspection done either by Christmas or the first of the year. She commented on work that was done on one of the windows without a permit.

Mayor Holland recommended they not spend a lot of money until they receive the report from Universal.

Keith Ware addressed the Commission regarding the "other business" item regarding the negotiations with the Atrium Management team. He asked what the proposed rebate would be from the CRA.

Mayor Holland indicated nothing would be decided that night but would be brought back at a future meeting when there could be public comment.

## 5. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

### 5.1 Resolution Number 21-101: Variance - Street Yard Setback - Property at the southeast Corner of East Hazzard Avenue and North Exeter Street

Derek Schroth, City Attorney, announced Resolution Number 21-101: A Resolution of the City Commission of the City of Eustis, Florida; granting approval for a variance to the City of Eustis Land Development Regulations Section 110-4.2 to allow a primary street setback of 2.5 feet and a secondary street setback of 6.9 feet to permit the construction of a single family residence on a pre-existing non-conforming house lot at the southeast corner of East Hazzard Avenue and North Exeter Street.

Lori Barnes, Development Services Director, reviewed the requested variance noting the property was acquired by the current owner through the "mow to own" program in 2019. She explained the property is a nonconforming lot and stated that Sec. 110-2(h)(6) permits lots to be developed provided they were in the nonconforming condition prior to 2008 when the Land Development Regulations were adopted. She compared the size of the lot to normal lot standards and stated that application of the standards would render the lot unbuildable. She did note that, if the lot were in the Urban Neighborhood district, right across the street, the nonconformancy and the magnitude of the variance would not be as significant. She then stated the requested street yard setbacks are 2.5 feet on Exeter as the primary street frontage and 6.9 feet on Hazard as the secondary street frontage. She stated that would result in a building envelope area of 25x48 feet. She explained how the single family house could be constructed on the lot.

Ms. Barnes then explained staff's analysis of the variance request and how it meets the requirement for special conditions peculiar to the land/structure and is not the result of actions of the applicant. She indicated staff received one inquiry regarding the variance with one of the concerns being how the reduced setback would affect the installation of streetlights and sidewalks. She explained that streetlights and sidewalks are placed in the public right-of-way so the variance would not affect the installation of streetlighting or sidewalks. She stated staff's recommendation for approval.

Mr. Schroth opened the public hearing at 6:51 p.m.

Bryan Broomfield addressed the Commission in opposition to the variance. He recommended that the property owner should try to purchase the adjoining property so there is sufficient property to build on.

Yolanda Taylor expressed agreement with Mr. Broomfield and stated that the East Community Redevelopment Inc. is in opposition to the variance. She suggested that the City hold off until the CRA Review Committee has time to look at what is needed in the east side of town.

There being no further public comment, the hearing was closed at 6:57 p.m.

The Commission asked to look at the picture of the property with Ms. Barnes stating that the property is partially wooded and there is a stream that runs through the back of the property which the owner is aware of. She stated the proposed house is 1200 sq.ft. and the lot is 2178 sq.ft. which will provide approximately 50% open space. The maximum allowed coverage in the City is 80%.

The Commission discussed how the house would be situated and the amount of yard between the house and the road and where a sidewalk might be placed.

Discussion was held regarding the setbacks in the area as well as in the Urban design district located right across the street.

Commissioner LeHeup-Smith moved to approve Resolution Number 21-101. The motion died for lack of a second.

**5.2** Resolution Number 21-102: Variance - Fence Height/Allowed Features for Southern Palms RV Resort County Road 44 Frontage

Mr. Schroth announced Resolution Number 21-102: A Resolution of the City Commission of the City of Eustis, Florida; granting approval for a variance to the City of Eustis Land Development Regulations Section 115-9.3.2 to allow Southern Palms RV Resort to install a six-foot tall white PVC fence with landscaping on the north and south side of their County Road 44 frontage.

Heather Croney, Senior Planner, explained the request from the Southern Palms RV Resort to install a six-foot PVC fence with landscaping along their CR 44 frontage. Their request is based on their desire for a noise buffer, privacy, improved curb appeal and improved guest satisfaction and enjoyment. She reviewed what is currently allowed under the code which she indicated does not provide any noise buffering or privacy. She presented a rendering showing the proposed fence and landscaping and reviewed staff's analysis of the request. She provided an overview of the older improvements to the property before being purchased by the current owner. She stated the proposal would improve safety and public welfare. She indicated staff received three inquiries regarding the request but none expressed support or opposition.

The Commission asked how many entrances there are to the property and asked if the fence would impact fire access with Ms. Croney indicating that the fire inspector did not express any concern.

Mr. Schroth opened the public hearing at 7:19 p.m.

Denton Kurtz commented on the amount of noise from CR 44 coming into Southern Palms and expressed support for approval of the variance.

Kevin Leary, resident of Haselton Village which abuts Southern Palms, expressed concern that the proposed fence would obstruct their residents' access to the farmer's market.

The Commission asked for clarification of what Mr. Leary indicated with Ms. Croney stating that the fence will not be allowed on the right-of-way but only on the Southern Palms property.

Penny Markland, manager of Southern Palms, explained there will be a gate placed at Lot 1 adjoining the fairground property and it will be kept open during the day. She stated there may be stakes there but the fence will not extend all the way down.

The Commission asked if that requirement could be incorporated into the resolution with Ms. Croney indicating, if it is included in the motion, then it can be incorporated into the resolution.

There being no further public comment, the hearing was closed at 7:28 p.m.

Moved by Commissioner Cobb, seconded by Commissioner Hawkins, to approve Resolution Number 21-102 with an amendment prohibiting the obstruction of the sidewalk access to the fairgrounds. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

**5.3** Resolution Number 21-103: Approving and ratifying a fourth amendment to agreement for sale and purchase of property between the City of Eustis and SpenceTF, LLC

Mr. Schroth announced Resolution Number 21-103: A Resolution of the City Commission of the City of Eustis, Lake County, Florida, approving and ratifying a 4th amendment to an agreement for sale and purchase of property between the City of Eustis and SpenceTF, LLC.

Tom Carrino, Interim City Manager, explained the request from Spencer Follmar for a fourth amendment to their agreement for sale and purchase of City property. He stated the amendment is to clarify language relating to deed restrictions and to allow other components of the project to move forward simultaneously. He stated staff's feeling that the amendment would weaken the City's position in maintaining the primary purpose of the project to construct a drive-in and the City's position on the release of the deed restriction and therefore, staff is recommending denial.

Spencer Follmar explained the benefits of the amendment as follows: 1) Developing the whole property at once would allow the drive-in business to be started in a winning situation and allow the venture to be more successful. He cited the costs and expenses to be overcome in development of the drive-in and site preparation and containment of remediation which must be completed on day one. 2) Developing the whole property insures that they will prioritize the drive-in construction because the whole land development depends on its opening. He stated the project is a positive development for Eustis and will add tremendous tax revenues to the City. He stated his hope they will come to an agreement so that next year they can invite the public to a night out at the movies in the City's backyard.

Mr. Schroth opened the public hearing at 7:33 p.m. There being no public comment, the hearing was closed at 7:33 p.m.

Commissioner LeHeup-Smith expressed support for the agreement, noting they have worked on the project for the last three years through the pandemic and indicated the site may be a good location for the storage of high end items.

Moved by Commissioner LeHeup-Smith, seconded by Mayor Holland, to approve Resolution Number 21-103. Defeated by the following votes:

Ayes: Commissioner LeHeup-Smith

Nays: Commissioner Hawkins, Vice Mayor Lee, Commissioner Cobb and Mayor Holland

**5.4** Ordinance Number 21-33: Amending Chapter 70, Pensions and Retirement, Article IV, Municipal Police Officers' Pension and Retirement System

Mr. Schroth read Ordinance Number 21-33 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending and restating Chapter 70, Pensions and Retirement, Article IV, Municipal Police Officers' Pension and Retirement System, Sections 70-102, 70-108 and 70-112, inclusive, of the Code of Ordinances of the City of Eustis; restating a "local law" pension plan for police officers to be known as the City of Eustis Municipal Police Officers' Pension and Retirement System; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date.

Mr. Schroth opened the public hearing at 7:36 p.m. There being no public comment, the hearing was closed at 7:36 p.m.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Hawkins, to adopt Ordinance Number 21-33 on final reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

**5.5** Ordinance Number 21-34: Voluntary Annexation of property located at 16336 McKinley Road

Mr. Schroth read Ordinance Number 21-34 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida; voluntarily annexing approximately 3.89 acres of real property located at 16336 McKinley Road.

Mr. Schroth opened the public hearing at 7:36 p.m. There being no public comment, the hearing was closed at 7:36 p.m.

Moved by Vice Mayor Lee, seconded by Commissioner Cobb, to adopt Ordinance Number 21-34 on final reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

**5.6** Ordinance Number 21-35: Comprehensive Plan Amendment for property located at 16336 McKinley Road

Mr. Schroth read Ordinance Number 21-35 on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending the City of Eustis Comprehensive Plan pursuant to 163.3187 F.S.; changing the future land use designation of approximately 3.89 acres of recently annexed real property located at 16336 McKinley Road from Urban Low in Lake County to Suburban Residential (SR) in the City of Eustis.

Mr. Schroth opened the public hearing at 7:37 p.m. There being no public comment, the hearing was closed at 7:37 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to adopt Ordinance Number 21-35 on final reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

**5.7** Ordinance Number 21-36: Design district designation for property located at 16336 McKinley Road

Mr. Schroth read Ordinance Number 21-36 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, assigning the Rural Neighborhood design district designation to approximately 3.89 acres of recently annexed real property located at 16336 McKinley Road.

Mr. Schroth opened the public hearing at 7:38 p.m. There being no public comment, the hearing was closed at 7:38 p.m.

Moved by Commissioner Hawkins, seconded by Commissioner Cobb, to adopt Ordinance Number 21-36 on final reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

**5.8** Ordinance Number 21-37: Voluntary annexation for property at 2979 South Grove Street

Mr. Schroth read Ordinance Number 21-37 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida; voluntarily annexing approximately 0.6 acres of real property at 2979 South Grove Street.

Mr. Schroth opened the public hearing at 7:39 p.m. There being no public comment, the hearing was closed at 7:39 p.m.

Moved by Vice Mayor Lee, seconded by Commissioner Hawkins, to adopt Ordinance Number 21-37 on final reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

**5.9** Ordinance Number 21-38: Changing the land use designation for property located at 2979 South Grove Street

Mr. Schroth read Ordinance Number 21-38 on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending the City of Eustis Comprehensive Plan pursuant to 163.3187 F.S. changing the future land use designation of approximately 0.6 acres of recently annexed real property located at 2979 South Grove Street from Urban Low in Lake County to Residential/Office Transitional (RT) in the City of Eustis.

Mr. Schroth opened the public hearing at 7:39 p.m. There being no public comment, the hearing was closed at 7:39 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to adopt Ordinance Number 21-38 on final reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

**5.10** Ordinance Number 21-39: Assigning a design district designation to property located at 2979 South Grove Street

Mr. Schroth read Ordinance Number 21-39 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 0.6 acres of recently annexed real property located at 2979 South Grove Street.

Mr. Schroth opened the public hearing at 7:40 p.m. There being no public comment, the hearing was closed at 7:40 p.m.

Moved by Commissioner Hawkins, seconded by Vice Mayor Lee, to adopt Ordinance Number 21-39 on final reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

**5.11** Ordinance Number 21-40: Amendment to the Land Development Regulations, Section 110-5.13 Portable Storage

Mr. Schroth read Ordinance Number 21-40 on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida; amending the Land Development Regulations, replacing Section 110-5.13 Portable Storage Units in its entirety with regulations for short-term, mid-term and long-term storage containers; providing for codification, severability and an effective date.

Ms. Barnes reviewed the changes to the ordinance as requested by the Commission and explained that the ordinance now reflects the standard sizes for the various uses. She stated she spoke with a number of contractors regarding the recommendation for the construction site containers who indicated the restrictions were reasonable. She stated she modified the long-term storage to allow those that are compliant with the screening requirements to 40 feet long by 10 feet wide by 8.5 feet tall. She indicated she thought that would address the concerns regarding size.

Ms. Barnes then noted that the Commission did not discuss the possibility of stacking of containers and presented photographs of other areas where that is allowed. She stated the ordinance has been modified to prohibit the stacking of the containers.

The Commission asked about streamlining of the process with Ms. Barnes explaining that the process is designed to deter lots of applications as you want people to comply with the code. She indicated that staff would be bringing forward changes to the fee schedule in January.

Mr. Schroth opened the public hearing at 7:45 p.m. There being no public comment, the hearing was closed at 7:45 p.m.

Moved by Commissioner LeHeup-Smith, seconded by Vice Mayor Lee, to adopt Ordinance Number 21-40 on final reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

RECESSED: 7:45 P.M. RECONVENED: 7:50 P.M.

## 6. OTHER BUSINESS

### 6.1 Direction on negotiating an agreement with the Atrium Management team for the sale and redevelopment of the former Florida Hospital Waterman site

Mr. Carrino provided a brief history of the project and explained that he and Commissioner Hawkins have been meeting with the Atrium Management team and he had discussed with individual commissioners what their issues were with the previous agreement. He indicated there has not been a consensus on whether to move forward or to go back out to bid for the project. He then provided a list of proposed modifications emphasizing that there is not a draft agreement to be presented. He reported that Attorney Derek Bruce has indicated his willingness to assist with crafting an agreement if the City so chooses.

Mr. Carrino reviewed the modifications as follows: 1) $500,000 for Parcel 1; 2) $1,250,000 for Parcel 2; and 3) $1,250,000 for Parcel 3 for a total purchase price of $3,000,000. He explained they are also requesting an annual rebate from the CRA. He then noted that concern was expressed about the desire to see the developer's financials to insure they are capable of carrying through with the project; however, the developer is concerned about those financials becoming public record so they proposed they go to banks and financial institutions to obtain firm loan commitments which would indicate the developer's ability to complete the project. He then reviewed an expedited timeline for phases 2, 3 and 4. He stated that concern was expressed about when the hotel would be constructed with an idea proposed that if the City conducts a market study that shows the City can support an hotel then there would be a trigger that would allow the City to compel the Atrium team to proceed with the hotel or the developer would release the property back to the CRA and they can secure a hotel developer. He then reviewed a proposed re-design for Block 1 and the combination and redesign of phases 2 and 3. He then commented on proposals to include some for sale brownstone units as well as rentals.

Mr. Carrino reviewed the proposal for parking stating they would still need 64 spaces, at least temporarily. As long as they move forward with phases 2 and 3, they would then assume responsibility for their own parking in their parking facility and the City would no longer have any obligation to provide the 64 spaces.

Mr. Carrino stated another question concerned what commitment the City has that they will build what they say they will. He indicated the developer has committed to include language that states they will use design and materials substantially similar to what has been presented. He explained that due to their purchase of Parcel #1 for $500,000 they are asking to eliminate the periodic earnest money deposits; however, he and Commissioner Hawkins believe that the periodic payments would need to continue.

Mr. Carrino concluded stating staff is asking for feedback on the proposed modifications or direction to go in a different direction. He stated the Atrium Management team is present and has a presentation.

Adam Wonus, representing the Atrium team, reviewed their proposed modifications and changes to placement of the buildings with the hotel being moved to Bay Street to provide views of the waterfront. He noted that the first two buildings are shorter with the back piece being the apartment building. He stated they are now proposing townhomes along Magnolia. He stated the parking garage would be wrapped in retail to hide the fact that it is a parking facility. He explained their proposal regarding joining the townhomes with retail.

Commissioner Hawkins asked if there would be retail facing Grove Street with Mr. Wonus indicating the main entrance to the parking garage would be off of Grove.

Commissioner LeHeup-Smith expressed support for the project as modified.

Commissioner Cobb expressed support for re-opening the RFP and having it brought back in February.

Vice Mayor Lee expressed concern for selling the first parcel for only $500,000 and about their request to get the money back through the CRA. She indicated Atrium should do the market study about the hotel not the City and expressed her disagreement with eliminating the earnest money. She indicated that while she did not want to further delay the project she would like to see what else could be done.

Mr. Carrino indicated Atrium would be doing their own market study on the hotel. He explained that the City would only do the market study if they wanted to get construction of the hotel moved up.

Vice Mayor Lee questioned whether or not building the hotel would create more interest in the area with Mr. Carrino explaining the overall development will drive the interest in the downtown.

Mayor Holland expressed support for re-opening the RFP for a short period to see what other ideas are out there.

Mr. Wonus commented on how much construction costs have increased as opposed to how much the property value may have increased. He explained how much he has been willing to work with the City and asked what else are they looking for.

Following further discussion, it was suggested that the project be brought back to the January 20th meeting for a decision. It was noted that the CRA Review Committee would meet on January 13th.

Mr. Wonus asked if he could meet with the Commissioners individually and it was agreed.

## 7. FUTURE AGENDA ITEMS

**7.1** Commissioner Cobb asked to have an update on See-Click-Fix at the January 20th meeting.

Vice Mayor Lee commented on an issue with trucks parking at Orange Avenue and Abrams as well as cars being parked there for sale.

## 8. COMMENTS

**8.1** City Commission - None

**8.2** City Manager

Mr. Carrino reported on staff discussions with Mr. Zubare about placing his RV on his homesite during construction. He stated that is prohibited by code; however, you are permitted to have a camper as part of a special event permit. He stated that with the Commission's permission, they will help him through the special event process; however it would be for a longer period than a normal special event. He then stated the City could amend the code to allow it; however, he would not recommend that. He indicated this is very situational and unique circumstances. He explained they are having trouble with obtaining supplies such as windows. He noted that he has also experienced vandalism and this would help prevent that as well. He confirmed that the septic has been completed and approved so he would hook into that.

CONSENSUS: It was a consensus of the Commission to allow for him to have his trailer on his property as a special event and for an extended period of time.

Mr. Carrino introduced the City's new Events Coordinator Miranda Muir.

Ms. Muir explained her background in fair management and expressed her excitement in working for the City.

Mayor Holland noted that her last fair won several awards recently.

Mr. Carrino reported on his continued research on grantwriting and noted he had contacted B.E. Thompson about grants and had obtained other information from Rick Gierok. He then announced that he would be scheduling a presentation from Lake Cares and would have discussion about the conditional use process and fees on the January 20th agenda.

Mr. Carrino thanked Mr. Gierok and Daniel Millan for pulling together a grant application very quickly to help with building hardening. He indicated that it looks very good for the City to obtain the grant.

**8.3** City Attorney - None

**8.4** Mayor

Mayor Holland reported on the JPA Work Group meeting noting that Commission Parks suggested that the City and County do away with the existing JPA agreement. He expressed opposition with doing that. He cited discussion on the City's proposed transitional land use district; however, the County is suggesting the City include a requirement for 50% open space which had hampered City growth in the past. He stated that Commissioner Parks also asked to have another joint Commission meeting.

Mr. Schroth confirmed that a JPA Committee was never formed with the County as required in the existing agreement.

Discussion was held regarding whether or not to schedule a joint meeting with a consensus to try and schedule a meeting.

Mayor Holland recommended that Commissioners meet individually with Lori Barnes to better understand the challenges facing the City and pending development.

Further discussion was held regarding Map #19 with Mr. Schroth indicating that the County has no control over whether the City removes Map #19. He noted that the City asked two questions and it took over a month to get a response. He stated the first question was "do you recognize the validity of the City's 1987 JPA" and the response was "yes". The second question was "What is your position on Map #19. Was it duly approved or not?". Their long explanation was they have not gone through their records but they think the map may have been the result of this committee that should have been formed in 1987 and that somehow the County was involved in approving Map #19 and that is not correct. He stated the Commission has the ability to unilaterally delete Map #19 if they want.

The Commission asked if the County indicated in their email that they had been basing their position on Map #19 with Mr. Schroth responding the County indicated that some people have detrimentally relied on Map #19 being in place in the comp. plan. Mr. Schroth stated there are many things in the ordinances and comp. plan that people have relied upon and the Commission has amended them when they wanted. He indicated whether or not they want to remove the map is a political decision.

Mayor Holland asked if removing Map #19 allows Mount Dora to annex further into that area with Mr. Schroth responding that the City has an existing interlocal agreement with Mount Dora that says Mount Dora can't cross Eustis' line and Eustis can't cross theirs; however, that agreement expires in 2023. He stated it expires if either property gives notice of their intent not to renew.

Mr. Schroth indicated that Mount Dora could state they are not renewing and then it expires December 31, 2023. He then said that doing away with the JPA would allow Mount Dora to annex into the City's area. However, removing Map #19 would not do that.

Discussion was held regarding previous incursions into the City's JPA by both Mount Dora and Tavares.

Mr. Carrino confirmed that the January 13th JPA working group meeting would be cancelled in lieu of a joint meeting.

Mayor Holland reported he went to Daytona Beach to see the new statue of Mary McLeod Bethune that will be taken to Washington DC. He noted that Lake County is being given a miniature of the statue that will go in the museum in Tavares. He thanked everyone for all of the donations of food and toys and wished everyone a Merry Christmas.

## 9. ADJOURNMENT: 8:47 P.M.

*These minutes reflect the actions taken and portions of the discussion during the meeting. To review the entire discussion concerning any agenda item, go to www.eustis.org and click on the video for the meeting in question. A DVD of the entire meeting or CD of the entire audio recording can be obtained from the office of the City Clerk for a fee.*

Mary C. Montez

MARY C. MONTEZ
City Clerk

MICHAEL C. HOLLAND
Mayor/Commissioner