APPROVED: 12/16/2021

MINUTES
Regular City Commission Meeting
6:00 PM - Thursday, November 18, 2021 - City Hall

INVOCATION: A MOMENT OF SILENCE WAS OBSERVED.

PLEDGE OF ALLEGIANCE: COMMISSIONER LEHEUP-SMITH

CALL TO ORDER: 6:01 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

1. AGENDA UPDATE:

Tom Carrino, Acting City Manager, noted that not all of the representatives of the East Central Florida Regional Planning Council had arrived; therefore, he requested that the presentation be postponed until later in the meeting.

2. APPROVAL OF MINUTES

2.1 October 14, 2021 - City Commission Workshop
October 21, 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 LeHeup-Smith, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

3. AUDIENCE TO BE HEARD

3.1 Mayor Holland explained to the audience that if they wanted to address something on the agenda under "Other Business" they needed to come up under Audience to be Heard as public comment would not be allowed under "Other Business". He also asked they keep their comments to three minutes.

George Barton requested a stop sign be installed by Trout Lake and Northshore Drive and asked that the owners of the vacant properties be asked to address their properties. He noted a pothole on the bridge at Trout Lake. He indicated the sign for "no through traffic" was reducing the traffic and noted the residents had put up "slow down" signs in their yards.

James Vigil thanked the Police Department for their assistance and the Commission for the cleanup of Northshore Drive. He expressed concern regarding speeding along Northshore Drive. He noted the vacant buildings are attracting the homeless.

The following individuals addressed the Commission regarding the previously approved 7/11 development at the intersection of Fish Camp Road and SR 44: 1) Patricia Sword; 2) Charlene Kotterman; 3) Jennifer Courtney; 4) Dino Gilliland; 5) Bonnie Brobst; 6) Dee Gretzler; 7) Dawn Luciano; and 8) Jane Uglione.

The following comments were made: 1) possible negative effects on the community; 2) the need for a concrete wall vs. pvc fence; 3) the amount of sewage and possible septic failure; 4) the possibility of flipping the site plan so they would be close enough to connect to the sewer; 5) whether or not the decision could have been delayed to try and get changes to the site plan; 6) what may be done with the gopher tortoises; 7) If additional police officers would be hired; and 8) why it was approved when everyone in attendance was in opposition.

Lori Barnes, Development Services Director, explained the next step is the final development plan which will include all of the details. She indicated that would be reviewed by the Development Review Committee and is an administrative review. She further explained that all other agency permits would be required to be completed before any construction begins. She stated if the environmental study shows gopher tortoises they will be required to provide a plan to either leave the nests undisturbed or relocated under a Fish and Game permit.

Mayor Holland explained that it basically came down to property rights as the owner of that property has the right to develop. He further explained that similar waivers have been granted to other developers so it would have been hard to deny the request. He then asked the City Attorney to explain the process and what the residents could do.

Derek Schroth, City Attorney, reported he spoke with Butch Blanchard, attorney for the college, who stated the buyer has indicated the businesses can stay until the end of December which is not consistent with the previous meeting. He indicated that the Commission could try to set aside the decision based on that inconsistency. He explained how the residents could appeal through the court system.

The Commission confirmed that, if the developer had not asked for the waivers, then the site plan would not have come before the Commission.

The Commission noted that the waivers requested were intended to soften the impact on the community and indicated they did not vote for the development based on what the City might get. It was stated that the developer could have built whatever they wanted if they could have met all the City codes. The Commission further noted their efforts at the last meeting to try and get 90 days for the businesses. It was noted that Commissioner Cobb had contacted the Sheriff regarding the amount of police coverage in that area and requesting electronic speed limit signs. They expressed support for the City Attorney further working with the attorneys for the two participants. It was noted that both City staff and local residents have reached out to the businesses to try and help them relocate. The Commission stated that the City Attorney will continue to work with the affected businesses and the Commission and staff will continue to try to help them relocate. The City will work with Sheriff Grinnell and the City Police Chief to try and address the traffic issues.

Cindy Newton and Tammy Pena expressed opposition to the request to DEO for extension of the approval for the Thrill Hill area annexations and land use amendments.

The following individuals expressed support for the request to DEO for the extension: 1) Jerry Brown; 2) Tim Green; and 3) Major Stacey.

Patricia Duncan stated her belief that the Thrill Hill ordinances do not represent a legal annexation and the subject properties are not contiguous.

4. CONSENT AGENDA

4.1 Resolution Number 21-93: Approving Multiple Annual Purchases in Excess of $50,000 for Water Meters, Meter Heads, and Rebuild Kits

4.2 Resolution Number 21-94: Approval of Purchases in Excess of $50,000 for Four Public Works Heavy Equipment Machinery

4.3 Resolution Number 21-95: Budget amendment amending the Police Forfeiture Fund to account for expenditure for Senior Management training

4.4 Resolution Number 21-96: Axon Enterprise Inc. contract renewal

Moved by Commissioner Cobb, seconded by Commissioner Hawkins, to approve the Consent Agenda as submitted. Motion carried by the following votes:

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

5. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

5.1 Resolution Number 21-97: Approving an Orange Blossom Trail/US 441 Brownfields Coalition Memorandum of Understanding with presentation by East Central Florida Regional Planning Council

This item was moved up on the agenda to allow a presentation by the East Central Florida Regional Planning Council.

Mr. Schroth announced Resolution Number 21-97: A Resolution of the City of Eustis, Lake County, Florida, approving and ratifying an Orange Blossom Trail/US 441 Brownfields Coalition Memorandum of Understanding; providing for severability and an effective date.

Daphne Green, East Central Florida Regional Planning Council, provided a review of the ECFRPC and its purpose. She cited past projects they have worked on with the City and their economic development programs. She explained their OBT/US441 Brownfields Coalition program and explained the types of properties that may be subject to funding from the EPA. She cited the program benefits and stated they have been awarded $600,000 over a three year period for the Brownfields assessment. She noted they have already identified 120 potential sites and five high priority sites one of which is located in Eustis. She provided a timeline for the project to date and stated they have begun the Phase 1 assessments. She reviewed the current tasks including the following: 1) Submission of the Community Involvement Plan; 2) Development of the Brownfields Advisory Committee; 3) Conduct of the Phase I/II Assessments; and 4) Presentation and approval of the interlocal agreement to the coalition cities. She asked for approval of the interlocal agreement stating that there would be no additional cost to the City.

The Commission asked where is the site within the City located with Ms. Green indicating it is the former Waterman Hospital site. She added they are hoping to identify additional sites in the future.

Mr. Carrino indicated that site has been identified as a Brownfield site for years and was the subject of an EPA grant application. He stated it has been temporarily placed on hold due to ongoing negotiations with Atrium for purchase of the site.

Mr. Schroth opened the public hearing at 7:09 p.m. There being no public comment, the hearing was closed at 7:09 p.m.

Mr. Carrino indicated there is a scrivener's error in the agreement that was included in the packet but the final agreement was provided to the Commissioners. He stated the City would be involved in the Brownfield Committee and indicated he has contacted Eileen Tramontana to sit on the Committee. He confirmed that the Commission was supportive of that appointment.

Moved by Commissioner Hawkins, seconded by Commissioner Cobb, to approve Resolution Number 21-97. Motion carried by the following votes:

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

5.2 Resolution Number 21-89: Preliminary Subdivision Plat Modification with Waiver - Royal Brothers (Grafton Ridge) Phase II (Emergency Access)

Mr. Schroth announced Resolution Number 21-89: A Resolution of the City Commission of the City of Eustis, Florida; approving a preliminary subdivision plat modification (Phase II) with waivers for the Royal Brothers subdivision, a 77-lot single family residential subdivision, on approximately 15.13 acres on the east side of David Walker Drive, approximately 1,000 feet north of Mount Homer Road.

Lori Barnes, Development Services Director, reviewed the previously approved subdivision plat and the requested modification for Phase II which provides emergency access to the site. She explained they are requesting a waiver to the timeframe for the photometric plan asking that it be deferred to the time of construction completion instead of during final engineering construction plan review due to delays in working with Duke Energy on the plan. She stated staff has no objection noting the liability will be on the applicant and they would be required to provide a code compliant plan before the City will grant any final construction completion certification for the project. She stated staff's recommendation for approval and indicated that no public comments had been received prior to the meeting.

Mr. Schroth opened the public hearing at 7:15 p.m. There being no public comment, the hearing was closed at 7 p.m.

Moved by Commissioner Hawkins, seconded by Commissioner Cobb, to approve Resolution Number 21-89. Motion carried by the following votes:

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

5.3 <u>Resolution Number 21-90: Site Plan Modification with Waivers - Lulu's Candles</u>

Mr. Schroth announced Resolution Number 21-90: A Resolution of the City Commission of the City of Eustis, Florida; approving a modification to a previously approved site plan with waivers for Lulu's Candles in Cobb Commerce Park; expanding the project area to include Lot 7, increasing the site area from 2.62 acres to a total of 5.5 acres; providing for additional parking and requesting an additional waiver.

Ms. Barnes reviewed the proposed site plan modification to add 3.9 acres to the project to add additional parking with space for a generator and a waiver to the required dumpster enclosure materials to allow a vinyl fence enclosure instead of a block wall. She explained the request is due to supply chain issues with obtaining the block. She stated that due to the proposed location future development would block the view of the dumpster; therefore, staff recommends approval.

Commissioner Cobb announced she would have to recuse herself due to her business association.

Mr. Schroth opened the public hearing at 7:18 p.m. There being no public comment, the hearing was closed at 7:18 p.m.

Moved by Commissioner Hawkins, seconded by Vice Mayor Lee, to approve Resolution Number 21-90. Motion carried by the following votes:

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

5.4 <u>Resolution Number 21-91: Modification to Approved Development Plan by Site Plan with Waivers - Storage Depot</u>

Mr. Schroth announced Resolution Number 21-91: A Resolution of the City Commission of the City of Eustis, Florida; approving a modification to a previously approved site plan with waiver for Storage Depot on approximately 7.6 acres on the northeast corner of State Road 19 and McKinley Road; providing for the addition of 36,200 square feet of additional storage building space and requesting waivers.

Heather Croney, Senior Planner, reviewed the requested modification to the approved site plan with waiver for the Storage Depot. She explained they are requesting additional self-storage buildings and stated the waiver is to allow use of the industrial lot type and a waiver to the time limitations and expiration of approval to permit project phasing with final build-out anticipated for Spring 2026. She explained the need for the lot type waiver due to the property being located in the Suburban Corridor design district. She indicated they are planning design features along SR 19 even though that is not required to mitigate the industrial lot type. She further reviewed the waiver to the time limitations due to the size of the project and financial constraints. She explained the site work and landscaping would be done in the first phase in order to enhance the physical appearance of the site. She indicated that no public comment was received. She expressed staff approval for the modification and waivers.

The Commission asked what part of the project would be completed first with Ms. Croney indicating that the site work and landscaping would be first along with three of the buildings and then Phase II would include three additional buildings.

Rick Hartenstein, Wicks Engineering, indicated on the site plan that buildings N, P and Q would be constructed in Phase I and noted the landscaping would also be completed in Phase I which would help obscure the construction from view.

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

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to approve Resolution Number 21-91. Motion carried by the following votes:

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

6. OTHER BUSINESS

6.1 Extension of Adoption Period for Ordinances 20-33, 20-36, 20-39 Comprehensive Plan Future Land Use Map Amendments for Annexation Properties in Thrill Hill Area

Ms. Barnes explained the need to request an extension of the adoption period for Ordinances 20-33, 20-36 and 20-39 for the Comprehensive Plan future land use map amendments for the pending annexation ordinances in the Thrill Hill area. She stated the ordinances address the future land use map amendments and were transmitted to the State for expedited review. She explained the 180 day limit for adoption expired in May 2021. She further explained that the extension only provides the Commission with the ability to act on the ordinances if the opportunity ever arises. She indicated there was a typographical error in the letters from Carol Harper and Mount Dora Groves. She further stated that the Commission received a copy of an email from Major Stacey, the representative of both of those property owners, earlier that day supporting the request and stated staff would request updated letters from the property owners.

CONSENSUS: It was a consensus of the Commission for staff to file the request for the extension.

6.2 Discussion with Patels regarding Colonial Inn Motel

Mr. Schroth explained the status of the Colonial Inn Motel. He commented on the level of the issues with the site. He recommended that the City leave the foreclosure open for the time being and stated they could require a timeline for issues to be resolved.

Craig Capri, Police Chief, provided statistics regarding the large number of calls to the motel and number of arrests made there. He recommended they not let up on any fines until the building is brought into compliance.

The Commission questioned how many times the owner has called the department with Chief Capri indicating approximately 100 times. He indicated the owner has been very uncooperative when they've been called.

Mike Swanson, Fire Chief, reported they have responded to approximately two overdoses per month over the last year. He noted they responded that day for a medical call. He then reported on the fire inspections and stated they have issues with smoke detectors disabled by tenants. He noted they cannot access rooms that are occupied.

Ms. Barnes reported that Code Enforcement has not been on site since the foreclosure came before the Commission. She stated that, if the Commission desires to stay the foreclosure, the Building Department and Code Enforcement have recommendations as follows: 1) Patels be required to hire an independent third party building inspector to inspect and compile a list of required repairs with estimated costs. She stated that the estimates provided by the Patels do not appear realistic for a 26-room motel. She added that staff would expect that all existing violations known to the City as well as any additional violations found by the inspector would be repaired. She noted that the Patels have indicated they would remove the stoves from the rooms and recommended that the actual gas lines be required to be removed so the stoves cannot be put back in at a later date. She further stated the AC condensation into the walls must be properly addressed and they would also require the installation of the interconnected, monitored, fire alarm as recommended by Chief Swanson. She explained that if the alarms are tampered with a notification would go into the office so they cannot be disarmed.

Ms. Barnes then stated that, if the Patel's still wish to proceed once the inspection is completed, staff would recommend the City enter into a Memorandum of Understanding with the Patels that outlines clearly the expectations and responsibilities of the City and the property owner. She explained it would include a timeframe indicating which repairs would be completed first and would include measurable expectations. She stated it should also include provisions for default. The penalty for default could be either deed in lieu of foreclosure or for the City proceeding with the foreclosure case. She concluded stating that upon satisfaction of all conditions of the MOU and all of the identified violations, the City could terminate the foreclosure proceedings and allow the Patels to submit a request for reduction of the fines. She indicated that staff would support reducing the fines to administrative costs if the property is brought into compliance.

Nayana Patel introduced her brother Koresh Patel stating he would be taking over management of the motel. She stated her father does understand that he is no longer manager of the motel. She indicated they have begun making improvements and agreed with hiring a third party inspector. She explained they are not going to remove the existing window frames but intend to seal up the jalousies and then cover up the windows on the inside with drywall. From the outside, it would appear as if the windows were still in place. She stated she was informed there would not be an egress issue.

The Commission asked Ms. Barnes what could be done with the windows with Ms. Barnes responding that it is possible the windows could be sealed up; however, the City would require a life safety plan signed and sealed by an architect or engineer indicating that the plan is compliant. She explained that if the egress is required under the Building Code or the Florida Fire Prevention Code then an engineer would not sign and seal a drawing. She indicated they could possibly cover the outside with cement and pattern it so that it blends with the existing exterior surface.

Vice Mayor Lee questioned the drainage of the air conditioners into the wall with Ms. Patel indicating the problem was primarily maintenance of the air conditioning units. She stated they have taken down all of the AC units and serviced them, and, where needed, replaced the drywall.

Koresh Patel confirmed they are working to make the repairs and improve the clientele.

Commissioner Hawkins commented on his experience with his father and confirmed that Mr. Patel felt capable of handling the situation.

Mr. Patel responded affirmatively and indicated he will also be signing the checks not his father.

The Commission questioned how they are going to improve the clientele with Mr. Patel indicating they are checking ID's and if they appear to be suspicious they don't rent them a room. He also confirmed they have removed the stoves and capped the gas lines.

The Commission questioned if they still have any weekly or monthly rentals with Mr. Patel indicating there are no monthly rentals but two or three weekly. He confirmed they do not rent by the hour.

The Patels asked Chief Swanson and Chief Capri about the responses to the motel that day with Chief Swanson indicating one was for a tenant with chest pains and Chief Capri indicating the other was a fight.

The Commission questioned whether Mr. Patel would be onsite with Mr. Patel responding he would now be there all of the time.

The Commission asked about the retail section with Mr. Patel indicating they have no definite plans for that area at that time.

The Commission confirmed they have sufficient funds to make the required repairs. They also questioned how often the rooms are cleaned with Mr. Patel indicating they are now inspecting the rooms daily with linen changes done daily.

Ms. Patel confirmed they have started that within the past two weeks but it was not done under her father.

The Commission discussed continuing the fines until the property is brought into compliance and providing a time limit with monthly inspections. It was suggested that the Commission provide a time frame to get the third party inspection.

The Commission commented on the need for them to hire the inspector and see what the actual cost estimate is so they can re-evaluate what they want to do. Comments were made about the recent supply chain difficulties. Discussion was held regarding what would constitute a reasonable timeframe for obtaining an inspector with concern expressed regarding the manpower drain on the police and fire departments. It was noted that closing the motel would displace two families.

Further discussion was held regarding giving the Patels the opportunity to make the improvements with concern expressed regarding the probable cost for the repairs, the level of clientele and the number of emergency calls. Discussion was also held concerning the lack of motels within the community and seniors that can't afford to live elsewhere.

Ms. Barnes confirmed that the requirement would be for a state-licensed, independent, third party inspector and recommended 30 to 45 days for them to engage the inspector and then 60 to 70 days to have the inspection completed and a report submitted with possibly one extension if the inspector has been engaged but needs an extension to complete the inspection and report. She provided the following examples of appropriately licensed businesses: MTCI, Universal Engineering and SkyTech.

Mr. Carrino suggested that the inspector needs to be acceptable to the City with Ms. Barnes stating she can provide the appropriate state statute reference so they can insure anyone they contact is appropriately state licensed.

Ms. Patel confirmed that the three agencies cited by Ms. Barnes are state-licensed and indicated she would start making calls the next day.

The Commission requested that they provide access to unoccupied rooms to both the police and fire departments.

Ms. Patel asked about the intent of an inspection that occurred the day before with Chief Swanson indicating the inspection was completed by the City's fire inspector and they found some minor discrepancies with an extension cord and sign. He added that they are aware they cannot access occupied rooms.

Chief Capri recommended that they put up signs immediately stating the property is under police surveillance, they sign up for the trespass/arrest program and that they be required to put up a surveillance system. He indicated it would help with the criminal element.

Ms. Patel explained she has done this her whole life but her brother is new to the business. She suggested that they limit rentals for the time being and indicated they are trying to filter out individuals that appear to be addicts.

Chief Capri indicated they are welcome to call the department for assistance. He offered to come out and assist them with their surveillance and installation of the signage.

Ms. Barnes asked for confirmation about the timeframe indicating the businesses are all very busy. She suggested 30 days to get a contract with an appointment for the inspection within 30 days after that. If there is an issue that it can't be completed within 60 days, they can come back to the Commission for an extension. She explained that she would provide the specific information they will need to obtain a contract with the inspector. She further stated that she and the City Attorney would work with them to prepare an agreement with the City if they determine that they want to move forward.

Ms. Patel asked about the fines with the Mayor indicating the fines would continue to accrue at that time but could be discussed once the property is brought into compliance.

Ms. Patel then asked about ACS Architecture and Engineering Services Group who she spoke with about the windows with Ms. Barnes indicating she would look them up the following day and contact her.

6.3 Discussion regarding compensation for Acting City Manager

Bill Howe, Human Resources Director, reviewed the current salaries of the area city managers previously provided to the Commission. He stated that they previously approved an increase to $135,000 for Mr. Carrino for serving as Acting City Manager.

The Commission discussed the fact that Mr. Carrino is also doing both jobs with Mr. Howe noting that they will need to consider that if there is an increase now it would be appropriate for an additional increase at such time as the position becomes permanent. He stated that the previous City Manager was making $155,000; however, he had previously chosen to obtain an additional week of vacation in lieu of a 2% raise. If you add in the 2%, then his total salary was $158,306.

The Commission discussed what would be an appropriate salary with a suggestion for $160,000.

CONSENSUS: It was a consensus of the Commission to increase the Acting City Manager's compensation to $160,000.

6.4 City Attorney report concerning removal of Map #19 from the Comprehensive Plan

Mr. Schroth noted that Ms. Barnes and the City Clerk did a lot of research for a records request regarding the joint planning history. He reviewed a history of the JPA citing adoption of the JPA in 1987. He noted that a section of the resolution provided that a joint planning committee be created which would monitor the development of the plan and eventually recommend to the City and County how the area was supposed to grow and that was never done. He stated that another condition was that the City and County each create a section of the comprehensive plan regarding how the JPA would work in the future. He noted there is no timeframe included in the resolution and there have been no amendments to the agreement. He stated what has occurred is that the City was required to notify the County of all annexations and that has been done. He stated that Map #19 was never adopted by Lake County noting that it is labeled "draft" and "proposed". He commented on at least two County Commissioners who have taken the position that if the City removes Map #19 then the City would not have a JPA and other cities could encroach. He stated that he contacted the County Attorney who agreed that removal of Map #19 would not allow other cities to annex into the City's JPA. He cited inconsistencies in the map noting that the Keating property is shown as "conservation". He indicated that the map allows opposition to growth to say that the City cannot grow under the other provisions of the comp. plan and must adhere to the densities in the map. He stated that if the City removes the map, the County could make their argument that the City does not have a JPA. He confirmed that he has tried to get a more formal opinion from the County Attorney but has not been successful. However, if they leave the map then there is the problem with the inconsistencies. He commented on the previous lawsuit with Mr. Keating under the Bert Harris Act. He stated that the Commission has the discretion to remove the map. He emphasized that the County itself has never formally approved the map.

The Commission asked if he could poll the County Commission regarding their stance and expressed concern that, if the map is removed, Mount Dora will immediately try to annex property within Eustis' JPA. They then asked if the City's land use attorney had reviewed the issue with Mr. Schroth responding negatively.

Mr. Carrino suggested that Derek Bruce could be asked to research the issue. He explained that he and the City Attorney had spoken with Mr. Bruce regarding assisting with the Atrium project but he was not retained for that issue; however, if the Commission wanted him to review the issue they could do so.

The Commission questioned what is the likelihood the City would prevail if they removed Map #19 and had to go to court with the County.

Mr. Schroth responded with his belief that the City would still have an existing agreement through Resolution 87-34. He stated stated there are provisions in the resolution that the parties have adhered to and there is a map attached to the 1987 agreement that has very clear boundaries. He noted that two cities have already encroached on that boundary - Tavares and Mount Dora. He emphasized his opinion that, even if the Commission removes the map, they still have a JPA. He further indicated he has not been able to get a confirmation from the County Attorney regarding the position the County would take if the City removes Map #19.

The Commission confirmed that, if the City removes the map, and Mount Dora tries to move on it then the City would have to litigate against both Mount Dora and Lake County.

The Commission then questioned what the consequences would be if they do not remove the map with Mr. Schroth responding, if there is development in that area and it is inconsistent with the designations on Map #19, then there could be an argument that the City approved something inconsistent with the comprehensive plan and give them the right to sue and oppose any development.

Mr. Schroth confirmed that everything the City has submitted to the State has been approved by the State.

The Commission suggested that the attorney contact the County Attorney and poll the County Commissioners regarding what they would do if the map is pulled.

Mr. Schroth noted that there are documents indicating the City approached the County in 1990 regarding forming the joint planning committee and the County did not respond.

The Commission questioned when Map #19 was adopted with the comprehensive plan with Ms. Barnes stating it was adopted in 2010.

The Commission questioned what the intent was in including the map with Ms. Barnes responding that the consultant used to review the comprehensive plan noticed that the City's future land use map at that time showed land use designations for both properties located within the City and in unincorporated areas. They recommended that the City only include a map showing the land use designations for incorporated City properties as it was confusing. She stated her belief that the purpose was strictly to show that the City has a joint planning area. She stated there was no discussion regarding Map #19 when the comprehensive plan re-write was adopted. She emphasized that Map #19 was never adopted by Lake County. It was strictly a draft map.

Mr. Schroth emphasized that the map has several places where it is marked "draft" and stated that the City could seek a declaratory judgement from a judge.

The Commission discussed the need to get the situation clarified with a request that Mr. Schroth request an opinion in writing from the County Attorney regarding the County's position if the City removes Map #19.

CONSENSUS: It was a three to two decision to have the City Attorney seek a written opinion from the County Attorney.

7. FUTURE AGENDA ITEMS

7.1 Commissioner Cobb asked Mr. Schroth about the status of Sharp's Mobile Home Park with Mr. Schroth responding he thought they were reaching out to Don Oliver to see if it was listed on MLS and what is the status of it being for sale. Commissioner Cobb indicated she would reach out to him.

Commissioner Hawkins asked about the status of hiring a grant writer with Mr. Carrino indicating staff had been researching position descriptions and salaries. He stated there are not a lot of staff grant writers to look at. He indicated there are a number of companies out there that help cities apply for grants. He stated staff would continue working on it. He noted that different firms specialize in different types of grants. He stated the City had utilized Fox Enterprises for the CDBG application and management.

Commissioner Hawkins reported that he and Mr. Carrino had met with Atrium and discussed those items that the Commission was uncomfortable with. He stated that Mr. Carrino would continue working on it and bring something back.

8. COMMENTS

8.1 City Commission

Vice Mayor Lee stated she met with Tom Carrino and Carole Martin and they would be planning an event to occur in January.

Commissioner Hawkins reported on a food drive held by the Lake Community Action Agency noting they fed between 500 and 600 people.

Commissioner Cobb commented on the need to get traffic to utilize the bypass and noted she saw a sign regarding "truck route". She thanked whomever installed the sign. She commented on the amount of debris being left in the City, the amount of push in signs and overgrown properties.

Commissioner Hawkins asked for the City to support the special needs event on December 1st at the Community Building.

8.2 City Manager

Mr. Carrino stated the City has been approached by a tour boat operator about using the City's floating docks as their home base. He indicated they have started the business tax receipt process but will need written permission from the City. He stated he would provide that permission if there are no objections by the Commission.

Mr. Carrino asked if the Commission wants to put a hold on accepting cash offers for City property until the CRA Review Committee completes its review of the mow to own program. He noted that the offer received was below the market value.

CONSENSUS: It was a consensus of the Commission to put sale of the properties also on hold.

Mr. Carrino asked to schedule individual meetings regarding the Atrium proposed agreement with a consensus of the Commission for him to do that.

Mr. Carrino reported that the CRA Review Committee meeting has been scheduled for December 9th at 5:00 p.m. and then cited the special needs event on December 1st from 11 a.m. to 1 p.m. He announced that the City has hired a new Events and Tourism Manager - Miranda Muir. He noted that Erin Bailey would be in town for Light Up and would be available for specific help.

8.3 City Attorney - None

8.4 Mayor

Mayor Holland announced that Light Up Eustis would be held the next Friday beginning at 5 p.m. He asked if the football game is still on with Commissioner Hawkins indicating it would be January 9th at 2 p.m.

Mayor Holland wished everyone Happy Thanksgiving and asked everyone to keep Pastor Renee in their prayers. He cited the passing of former Sheriff Gary Borders and his uncle.

9. ADJOURNMENT: 9:05 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 or verbatim transcript of the meeting can be obtained from the office of the City Clerk for a fee.

Mary C. Montez

MARY C. MONTEZ
City Clerk

MICHAEL L. HOLLAND
Mayor/Commissioner