APPROVED: 11/18/2021

MINUTES
Regular City Commission Meeting
6:00 PM - Thursday, October 21, 2021 - City Hall

INVOCATION: MOMENT OF SILENCE WAS HELD

PLEDGE OF ALLEGIANCE: COMMISSIONER HAWKINS

CALL TO ORDER: 6:01 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

1. AGENDA UPDATE

1.1 Tom Carrino, Acting City Manager, announced that County Attorney Melanie Marsh would be providing a presentation regarding the proposed County Commission re-districting.

2. APPROVAL OF MINUTES

2.1 September 9, 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, Commissioner LeHeup-Smith, Commissioner Cobb, Vice Mayor Lee and Mayor Holland

3. PRESENTATIONS

3.1 Recognition of Sgt. Phil Livingston upon his retirement from the Eustis Police Department

Chief Craig Capri announced the retirement of Sgt. Phil Livingston. He complimented Sgt. Livingston on his career with the Eustis Police Department and read a proclamation of recognition. He presented to him his department-issued gun with a commemorative gun box. He also presented to him a shadow box with all of his accomplishments.

Sgt. Phil Livingston recognized co-workers that he worked with over the years and thanked the City and community members and his family for their support.

Mayor Holland expressed to Sgt. Livingston the appreciation of the Commission and the rest of the City. He then asked Chief Capri to provide an update on recent activities.

Chief Capri reported to the Commission regarding an incident that occurred on Saturday due to a call for help regarding someone attempting to break in to a lady's home. He provided a rundown of how the incident occurred. He commented on the negative emails the department has received since the incident. He emphasized the amount of de-escalation training department personnel have received and noted a conference call that he and the Mayor were involved with personnel from UCF regarding how similar incidents may be avoided in the future. He commented on the issues involved with individuals with mental illness. He cited the department's efforts to establish a registry for disabled individuals within the City.

The Commission expressed support for the department indicating they handled the incident as best they could. Support was expressed for establishing a database and noting a program which distributes magnets to designate a house as an autistic home.

3.2 Presentation regarding proposed County Commission re-districting

Melanie Marsh, County Attorney, provided a presentation to the Commission regarding the proposed County Commission re-districting and reviewed the required process and how the new districts are determined. She stated that, while they try to keep entire cities together in one district, because they use census blocks they are not always able to do that. She indicated that under the new map the following cites are divided: 1) Minneola - between Districts 1 and 2; 2) Clermont - between Districts 1 and 2; 3) Leesburg - between Districts 1, 3 and 5; 4) Eustis - between Districts 3 and 4; and 5) Groveland - between Districts 1 and 2. She then explained they are required to hold two public hearings which will be held November 2nd and November 16th, after any suggested changes are made, then the final adoption will be held December 7th. She added that, if the new map is not adopted by December 31st, then they will not be able to make the change until 2023.

Commissioner Cobb requested the Commission receive a more detailed map showing the roads in the City with Ms. Marsh indicating she can ask the County GIS to do that.

The Commission asked which cities are currently split with County Commission Chairman Sean Parks responding that currently Districts 1 and 5 share part of Leesburg and 4 and 5 are split.

Discussion was held regarding how the cities will be split.

Vice Mayor Lee asked how a City resident determines which County Commissioner to go to with a problem with Mr. Parks indicating they could go to either one.

Ms. Marsh indicated the County's GIS Department are the ones that established the lines based on the numbers with little to no input from the County Commissioners.

Mayor Holland reiterated the request for a more detailed map and expressed concern regarding how the proposed map changes the balance of power in the county.

Ms. Marsh indicated that any resident can contact any County Commissioner, not just their district commissioner.

4. APPOINTMENTS

4.1 Appointment of CRA Review Committee

Tom Carrino, Interim City Manager, commented on the appointment of the community representatives to the CRA Review Committee. He stated the recommended appointees are as follows: 1) Marie Aliberti; 2) Horace Jones; 3) Tom Popeski; 4) Bryan Broomfield; and 5) Christine Cruz. He indicated he has begun distributing materials to the appointees and cited the need to set a date for an organizational meeting.

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

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

5. AUDIENCE TO BE HEARD

5.1 Shellie Carter addressed the Commission regarding 209 W. Badger and expressed concern regarding bugs, vermin and snakes on the property. She stated it is slated to be demolished and needs to be exterminated first. She then addressed the Commission regarding the incident on Saturday with the young autistic man. She stated the police officers were not at fault and suggested that signs could be installed regarding "autistic children in neighborhood".

Yolanda Stevenson Taylor addressed the Commission regarding East Town Community Redevelopment Agency Inc. She distributed sheets to the Commission with the word "trust" and emphasized the need to build a relationship of trust within the community.

Monica Buggs addressed the Commission stating her hope that things will get better and the Commission will work together with the new Committee.

Gail Isaac Thomas announced the next comedy show will be in January and encouraged everyone to come out and support the shows.

Darius Kerrison thanked everyone that attended the last show. He commented on the incident that occurred on Saturday noting he works with the special needs community. He cited the need for officers to build a rapport with the special needs population. He encouraged the officers to get out in the neighborhoods and interact with the residents.

Commissioner Hawkins asked if he would be willing to help build a database.

Mr. Kerrison commented on the difficulty of identifying individuals that live in some of the group homes. He suggested that Chief Capri contact DCF in Wildwood for assistance. He cited issues with residents of some of the group homes. He commented on various methods for handling individuals with mental health or special needs issues.

The Commission asked Mr. Kerrison to provide contact information.

6. CONSENT AGENDA

6.1 Resolution Number 21-79: Approval of Annual Purchases in Excess of $50,000

6.2 Resolution Number 21-80: Annexation Agreement and Developers Agreement to Provide Water Service Outside the City Limits (17385 Lakeview Court)

6.3 Resolution Number 21-81: Approving a purchase in excess of $50,000 for three Water Department replacement service vehicles

6.4 Resolution Number 21-82: Extending the Cash Management and Banking Services contract with TD Bank for an additional two-year term through June 30, 2023

6.5 Resolution Number 21-84: Interlocal agreement with Umatilla Fire Department

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

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

7. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

7.1 Resolution Number 21-78: Textile Recycling Collection Bin at 2599 E. Orange Avenue

Derek Schroth, City Attorney, announced Resolution Number 21-78: A Resolution of the City Commission of the City of Eustis, Florida; approving placement of a textile recycling collection bin at 2601 E. Orange Avenue pursuant to Ordinance Number 21-07; providing for conditions of approval.

Lori Barnes, Development Services Director, reviewed the request to place a textile recycling bin at 2601 E. Orange Avenue, explained staff's review of the request and cited the submitted application and other documents provided. She stated the applicant is requesting only one bin at that time and expressed staff's recommendation for approval.

Mr. Schroth opened the public hearing at 7:04 p.m. There being no public comment, the hearing was closed at 7:05 p.m.

The Commission asked about what happens if they do not keep the area clean with Ms. Barnes indicating that the applicant Orla Recycling is required to be in compliance with the ordinance and the resolution and maintain the site. If they do not, the City has contact information for two representatives. If the property is then not cleared, code enforcement action would ensue.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Hawkins, to approve Resolution Number 21-78. Motion carried by the following votes:

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

7.2 Resolution Number 21-83: Disposal of Surplus Property

Mr. Schroth announced Resolution Number 21-83: A Resolution of the City Commission of the City of Eustis, Florida; declaring certain real property as surplus; authorizing city staff to publicly advertise and accept bids for the disposal of said property (via sale and purchase or mow to own) in accordance with Florida Statute 163.380; and authorizing the Interim City Manager to dispose of said properties subject to the conditions provided for herein.

Ms. Barnes explained the need for the properties to be declared as surplus and for staff to be authorized to either sell or dispose of the properties through the mow-to-own program. She reviewed a history of the sale of unneeded City properties since 2016 and the development of the mow-to-own program. She explained the criteria for the mow-to-own program. She then explained how the cash bid and mow-to-own applications are processed and prioritized with the intent of obtaining the best return on investment to the City. She reviewed the advantages to the program as follows: 1) Increased ad valorem revenue; 2) Eliminate maintenance costs; and 3) Eliminate potential liability associated with City ownership of lots. She stated staff's recommendation for approval.

Vice Mayor Lee expressed concern regarding whether or not the properties were actually being developed. She noted that there were people who obtained multiple parcels through the mow-to-own program. She stated she received comments regarding the Ace Theater property being disposed of. She expressed support for only selling the property rather than doing the mow-to-own program.

Ms. Barnes responded stating there are two properties that were in the 2016-17 offering that have applied to build two single family homes. She commented on the City's lack of success in selling the properties. She stated that, even if the properties have remained vacant, the City is receiving some tax revenue from the properties and the City is no longer having to maintain the property. She reiterated the priority for applicants stating that 17 were awarded to City residents. If an outside-the-City applicant was awarded a property then no City resident applied for those lots. Regarding individuals receiving multiple lots, she indicated that the City could limit the number of applications allowed per person.

Vice Mayor Lee further expressed concern about buildable lots not being built on.

Mayor Holland stated the criteria could be changed and only open to City residents.

Commissioner LeHeup-Smith commented on the number of phone calls she has received from people interested in the program and the ability of someone to obtain property through sweat equity. She expressed support for continuing the program.

Commissioner Hawkins expressed opposition to people owning multiple lots through the mow-to-own. He asked if a stipulation could be added that something has to be built within five years.

Ms. Barnes stated that the purpose of the program is to get the property back on the tax roll and eliminate the cost to the City for maintaining the property. She explained to require development would necessitate building in a reverter clause in the deed and then taking back the property which would cost staff time and legal fees.

Discussion was held regarding revamping the program prior to moving forward and whether or not the City should list the properties with a real estate agent.

Commissioner Cobb asked if the revenue from sales would go to the CRA with Ms. Barnes explaining the City owns the property, not the CRA. She stated that the TIF funds would eventually go to the CRA.

Further discussion was held regarding properties staying vacant and the possibility of revising the program.

Mayor Holland asked for a report on the Ace Theater property with Ms. Barnes providing a brief history of the property and the structure's landmark designation. In 2016, the vacant property was declared surplus and a mow-to-own application was approved.

Mr. Schroth opened the public hearing at 7:32 p.m.

Monica Buggs addressed the Commission on behalf of the East Town Community Redevelopment Agency Inc. She indicated she was not against the mow-to-own program but had a problem with the process. She asked that the program be put on hold so that the process can be improved.

Yolanda Stevenson Taylor noted her previous request for the City to hold off on the program and stated it is not a bad program but needs to be improved so that it works correctly.

Commissioner Hawkins expressed concern regarding the expression of lack of trust when this is a new Commission. He stated the community needs to give them the opportunity to do what's right.

Ms. Stevenson-Taylor again commented on the need for trust between the community and the Commission.

Jeremy Brown asked what would constitute a better offer with Mr. Carrino reiterating the prioritization for applications. He indicated there were no incidents where the City had to make a decision between offers.

Mr. Brown asked when it was added to allow building on the property if plans were submitted (prior to end of the two years) with Mr. Carrino stating it was amended in 2017 to allow if someone applied for an actual building permit, then the City would go ahead and deed the property. He confirmed that no one took advantage of that.

Mr. Brown asked if someone were to do that how much would that increase the taxable value with Mr. Carrino indicating it would depend on the value of the structure and on what the Property Appraiser values the property at.

There being no further public comment, the hearing was closed at 7:43 p.m.

Mr. Carrino suggested that a review of the mow-to-own program could be included as part of the responsibilities for the new CRA Review Committee since all of the properties are currently located within the CRA.

The Commission asked if any of the mow-to-own properties are outside the CRA with Ms. Barnes responding there have been some in the past. She noted the City obtains properties in a number of ways citing tax escheatment, donation and code enforcement foreclosure.

The Commission asked what would happen if someone wanted to buy one of the properties with Ms. Barnes indicating, if the City received an offer on one of the properties already declared surplus, staff would bring the offer to the Commission for consideration.

Moved by Commissioner Hawkins, seconded by Commissioner Cobb, to table Resolution Number 21-83. Motion carried by the following votes:

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

Nays: Commissioner Karen LeHeup-Smith

7.3 Ordinance Number 21-22: Comprehensive Plan Text Amendment

Mr. Schroth noted this ordinance was not transmitted by the Local Planning Agency, therefore, it is withdrawn from the agenda.

7.4 Explanation of Ordinances for Property Located at 1704 Virginia Avenue: Ordinance Number 21-30 - Voluntary Annexation

Mr. Schroth read Ordinance Number 21-30 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 0.06 acres of real property at 1704 Virginia Avenue.

Heather Croney, Senior Planner, presented the proposed annexation of property located at 1704 Virginia Avenue, owned by Shelby Sanders, stating that the proposal includes changing the future land use designation from Urban Medium in Lake County to Urban Residential in the City and assigning a Suburban Neighborhood design district designation. She noted that the annexation does reduce an existing enclave and stated that it is consistent with state statute and City regulations. She indicated the property could not be developed with more than one dwelling unit unless they requested an accessory structure which is allowed. She explained staff's evaluation of the request, indicated water and sewer are available and reported that the existing structure is currently being demolished. She stated staff's recommendation for approval stating that it is consistent with the Comprehensive Plan and Land Development Regulations.

Mr. Schroth opened the public hearing at 7:55 p.m. There being no public comment, the hearing was closed at 7:55 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to approve Ordinance Number 21-30 on first reading. Motion carried by the following votes:

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

7.5 Ordinance 21-31 - Comprehensive Plan Amendment - 1704 Virginia Avenue

Mr. Schroth read Ordinance Number 21-31 by title on first 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 0.06 acres of recently annexed real property at 1704 Virginia Avenue from Urban Medium in Lake County to Urban Residential in the City of Eustis.

Mr. Schroth opened the public hearing at 7:56 p.m. There being no public comment, the hearing was closed at 7:56 p.m.

Moved by Commissioner Hawkins, seconded by Commissioner Cobb, to approve Ordinance Number 21-31 on first reading. Motion carried by the following votes:

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

7.6 Ordinance 21-32 - Design District Assignment - 1704 Virginia Avenue

Mr. Schroth read Ordinance Number 21-32 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 0.06 acres of real property at 1704 Virginia Avenue.

Mr. Schroth opened the public hearing at 7:56 p.m. There being no public comment, the hearing was closed at 7:56 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to approve Ordinance Number 21-32 on first reading. Motion carried by the following votes:

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

8. FUTURE AGENDA ITEMS

8.1 Commissioner Hawkins asked for a discussion about hiring a grantwriter. He also asked for discussion about hiring a land use attorney in view of land issues facing the City.

The Commission discussed whether or not to obtain a land use attorney to be used on an as-needed basis.

It was a consensus of the Commission to have a land use attorney with Mr. Schroth noting the City already has a land use attorney under contract - Derek Bruce. He noted that anyone the City uses also needs to be certified in government.

Commissioner Cobb asked about the status of the See-Click-Fix software with Mary Montez, City Clerk, stating that staff would begin utilizing the software the first week of November in order to get more familiar with it, after which, it would be publicized to the public for use.

9. COMMENTS

9.1 City Commission

Vice Mayor Lee reported on the Commission assisting at the high school concession stand. She noted that Rick Gierok and Daniel Millan are working on the cemetery and getting the information into a new software program. She complimented them on the improved maintenance and working on hiring a new sexton.

Commissioner Cobb complimented staff on the Zombie Run and noted the Vet Fest 5K would be the next weekend in Umatilla.

Commissioner Hawkins reported on Lake Community Action Agency (LCAA) stating he attended his first board meeting in March. He indicated he has been talking with the person over their housing program noting they have currently spent approximately $40,000. He cited the amount of their administrative fees. He stated he has asked on three occasions for a list of applications "in the hopper" and has yet to receive it. He expressed concern regarding continuing to work with LCAA. He stated he would prefer to seek another way to help the residents with the budgeted funds.

Vice Mayor Lee expressed agreement.

Further discussion was held regarding the lack of compliance by LCAA with the agreement and the need to do more with the money.

Mayor Holland suggested that could be another topic of discussion for the CRA Review Committee. He expressed concern regarding the amount of support City residents have received from LCAA over the years.

Mr. Carrino indicated that the City will need to see what funds are committed for any homes already in process. He stated that not all of the homes had gone through pre-inspection at the last report.

Vice Mayor Lee expressed concern regarding whether or not the three homes completed are still in good shape noting they were supposed to also provide training about maintenance.

Commissioner Hawkins thanked Mr. Carrino for his assistance at the concession stand. He then presented a video to the Commission of Tyler Williams playing football. He read a statement from Tyler regarding his battle with cancer and subsequent seizures and citing his love of football. He explained a football game will be held for Tyler on January 9th in Carver Park at 2 p.m. He cited the others involved with the event and invited everyone to attend. He thanked City staff for the job fair. He expressed concern about temporary signs installed across from the Police Department with Mr. Carrino indicating staff would address it.

9.2 City Manager

Mr. Carrino reported he has spoken with most of the Commission regarding engaging in a new strategic plan process noting how long ago the current plan was adopted. He asked them to think about whether they want to start right away or wait for the new City Manager to be hired. He then noted that the Commissioned Without Borders lease expired the end of September and indicated he would work with Pastor Buddy and bring something back. He reported that the City has received the first installment of the ARPA money in the amount of $5 million. He asked Mr. Schroth if he had any additional information regarding use of the funds.

Mr. Schroth stated they are still waiting on a response from the U.S. Dept. of Treasury regarding the use of the funds for the parking garage with Mr. Carrino indicating staff is trying to make sure whatever the City decides to use the funds for is eligible.

Mr. Carrino reported that the City needs to update signatures with TD Bank for checks. He stated that traditionally the signatures are the Mayor, Vice Mayor, City Manager and Finance Director. He indicated staff would work with the Mayor to clarify exactly who the signers would be. He then reported he would be out of town at the Florida Redevelopment Association conference Wednesday through Friday but would be available via telephone and email.

9.3 City Attorney - None

9.4 Mayor

Mayor Holland commented on recent activities including Homecoming. He complimented Parks and Recreation on the Zombie Run and cited the Police and Fire departments as well as the rest of City staff for their efforts. He encouraged everyone to support the local schools.

10. ADJOURNMENT: 8:25 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