APPROVED: 3/4/2021

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

INVOCATION: ANTONIO WALLACE, EUSTIS MIDDLE SCHOOL STUDENT

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 L. Holland

1. AGENDA UPDATE: NONE

2. APPROVAL OF MINUTES

2.1 January 9, 2021 - City Commission Retreat

Moved by Commissioner LeHeup-Smith, seconded by Vice Mayor Lee, 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 regarding City and Lake Community Action Agency Housing Rehab Program - Michael Roberson

Michael Roberson, LCAA, provided an update on the City's housing rehab program noting they had difficulties implementing the program due to the pandemic. He stated that a total of six applications have been received with four being approved and three inspections completed. He stated one home has been completed and one is under construction. He acknowledged the program has not been as successful as desired. He stated the current need is for more promotion and requested that the City consider putting a flyer in the utility bills and add a banner ad to the website and Facebook. He also suggested canvassing the target area.

Mr. Roberson then commented on the physical disrepair that many of the homes are in and they have had to turn down due to the extent of the problems. He provided a copy of the flyer they are currently using. He provided an overview of their contract with the City noting that the initial contract was supposed to be from February 2020 to September 2020; however, they were shut down during the initial Covid-19 pandemic. He commented on issues with residents not meeting criteria or not following through with submittal of documents and problems they are having with obtaining replacement doors. He emphasized that contractors working for the program are licensed to work in Eustis and Lake County and follow codes per the City and County. He explained one current holdup is installation of air ventilation according to ASHRAE 62.2 2013 standards. He stated the manufacturer is not able to produce the equipment causing a shortage. He explained about the state standards for air ventilation.

The Commission expressed concern that LCAA has not already done the website ads or Facebook postings regarding the program with Mr. Roberson responding they have done that as well as done door-to-door canvassing but they believe it will help the program tremendously if the City would put it in the utility bills or do a targeted mailing.

The Commission questioned the statistics with Mr. Roberson explaining the one under construction was started before Covid and work had to stop due to the State requiring them to close. Now they have re-opened and it is back under construction but there have been issues with obtaining materials. He explained that a total of four applications have been approved. He commented on how much was out of their control such as the State making them stop doing any inspections inside homes.

The Commission confirmed that the ASHRAE standard must be implemented in all homes worked on. They questioned the cost with Mr. Roberson stating the ERV cost is approximately $900 which includes ductwork.

Ron Neibert, City Manager, confirmed that approximately $2,000 is spent on each home for ASHRAE, leaving only $8,000 for any remaining work. He stated he could get more information put out on the City's website and Facebook.

The Commission suggested distributing flyers through the Recreation program and sending the banner to the Chamber who could help distribute the information. It was noted that by putting it in the utility bill, staff has no way of knowing if the property is owner occupied or not. They questioned what advertising was done during the February through September time period with Mr. Roberson stating they put it on their website during that time. It was suggested that they contact Lake Door and Trim regarding doors for older homes.

The Commission requested that LCAA provide monthly written reports and quarterly presentations. They discussed suspending the program if it has not increased in three months. They then asked what has been opened up with Mr. Roberson responding they can now go into the homes to do inspections; however, all the contractors have to be certified on the new Covid 19 requirements.

CONSENSUS: It was a consensus of the Commission for LCAA to send monthly reports via email similar to what was provided in the presentation and provide quarterly updates at a Commission meeting.

Discussion was held regarding how the City could promote the program with Mr. Neibert indicating they could put a flyer in the utility bills. If someone doesn't qualify, they can just discard the flyer. He indicated they can also get the information out on the Word of Mouth Facebook pages.

Commissioner Hawkins volunteered to assist with canvassing door-to-door with Commissioner LeHeup-Smith stating that the canvassing is probably going to be the most successful.

Rachel Holtzclaw suggested getting the local pastors involved since residents may trust their local ministers.

Commissioner Cobb suggested holding a community meeting at Carver Park.

3.2 Presentation of Quarterly Report by Spencer Follmar, SpenceTF LLC, regarding drive-in theater project

Spencer Follmar, SpenceTF LLC, reported on the status of the drive-in movie theater. He commented on a recent tour of the property by him and some of his investors. He stated he expects to have a great update at the next quarterly report. He indicated they still need to have a professional environmental survey completed and indicated the next phase will be the geotechnical survey. He noted some of the required studies are quite expensive so they are pending the finalization of the contracts with his investors.

The Commission asked what the time period looks like with Mr. Follmar indicating his contract with the City expires in August and he hopes to move forward before then. He stated his hope that they break ground by the summer.

4. APPOINTMENTS

4.1 Appointment to Firefighters Pension Board of Trustees - Rachel Holtzclaw

Moved by Commissioner Cobb, seconded by Commissioner Hawkins, to appoint Rachel Holtzclaw to a partial term to the Eustis Firefighters Pension Board of Trustees to expire January 19, 2022. Motion carried by the following votes:

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

4.2 Appointment to Code Enforcement Board - Ryan Benaglio

Moved by Vice Mayor Lee, seconded by Commissioner LeHeup-Smith, to approve the appointment of Ryan Benaglio to the Code Enforcement Board for a term to expire March 31, 2024. Motion carried by the following votes:

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

4.3 Appointment to Code Enforcement Board - Bradley Shelley

Moved by Vice Mayor Lee, seconded by Commissioner LeHeup-Smith, to appoint Bradley Shelley to a partial term on the Code Enforcement Board to expire March 31, 2022. Motion carried by the following votes:

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

4.4 Appointment to Historic Preservation Board - Kirk Musselman

Moved by Commissioner Hawkins, seconded by Commissioner Cobb, to appoint Kirk Musselman to the Historic Preservation Board for a partial term to expire December 31, 2021. Motion carried by the following votes:

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

5. AUDIENCE TO BE HEARD

5.1 Erin Bailey, Events and Tourism Manager, reported on the plans for Georgefest and announced that Michael Ray would be the headline entertainment. She reviewed activities for the festival beginning with fireworks on Friday evening.

6. CONSENT AGENDA

6.1 Resolution Number 21-10: Settlement Offer for Dismissal of Foreclosure Action against 1215 South Center Street and Release of Liens with Conditions.

Moved by Commissioner LeHeup-Smith, seconded by Vice Mayor Lee, to approve Resolution Number 21-10. Motion carried by the following votes:

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

7. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

7.1 Resolution Number 21-05: Electing to use the uniform method of collection of non-ad valorem special assessments

Derek Schroth, City Attorney, announced Resolution Number 21-05: A Resolution of the City Commission of the City of Eustis, Florida; electing to use the uniform method of collecting non-ad valorem special assessments levied within the incorporated area of the city; stating a need for such levy; providing for the mailing of this resolution; and providing for an effective date.

Mike Sheppard, Finance Director, explained the purpose of the resolution is to approve the use of the non-ad valorem special assessment method for the levying of a fire assessment. He noted the City would have to have contracts with the Property Appraiser and Tax Collector. He reviewed the amount of fire assessments levied by other area cities noting that the City is proposing a $100 assessment per residential unit with a per square foot figure for commercial and industrial. He explained the City has contracted with Government Services (GS) who is an expert in calculating a fair assessment. He then explained that the funds can only be used to benefit real property and for fire protection. He stated that the assessment should generate over $1,000,000. He stated that anything over $1,000,000 will be used to reduce the millage rate, dollar for dollar. He confirmed the resolution was advertised for four consecutive weeks. He reviewed the process to be used with GSG who would provide an assessment report in May. He cited the expenditures that would be incurred including a mailer to all units within the City. He explained the City would have to adopt an ordinance and a resolution with everything to be certified to the Tax Collector by mid-September. He stated the assessment will help the City provide better service for fire protection and add to other areas of the City.

Mr. Neibert explained that the only thing to be approved that night is to initiate the process and approve the method for the assessment.

The Commission noted Tavares puts theirs on the utility bill with Mr. Neibert explaining that if someone doesn't pay their utility bill then the City doesn't receive the funds in a timely manner. If it is on the property tax bill and an owner doesn't pay their property taxes, then the tax deed gets sold and the City still receives its money.

Discussion was held regarding public feedback with Mr. Neibert indicating staff will probably begin receiving comments.

Mr. Schroth opened the public hearing at 7:06 p.m. There being no public comment, the hearing was closed at 7:06 p.m.

The Commission noted the City has defended its millage rate by stating it doesn't also levy the fire assessment. It was acknowledged that the funds will be used to improve public safety. Discussion was held regarding various public safety issues that the City needs to address. It was also noted that the City is not proposing as high an assessment as some of the other cities. Discussion was held regarding the functional millage rate and whether or not the City will be able to reduce the millage rate.

Mr. Neibert indicated that staff believes the assessment will generate more than $1,000,000 and anything over that will be used to reduce the millage rate on a dollar for dollar basis.

The Commission acknowledged that public safety needs that must be addressed and cited the need to improve the pay scale in the police and fire departments.

Mayor Holland requested that the City go back to hearing the individual department presentations during the budget process.

Discussion was held regarding the need for good public safety in order to encourage people to invest in the City.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Hawkins, to approve Resolution Number 21-05. Motion carried by the following votes:

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

7.2 Resolution Number 21-09: Amending the Gateway Corridor Improvement Matching Grant Program

Mr. Schroth announced Resolution Number 21-09: A Resolution of the City Commission of the City of Eustis, Florida; amending a corridor improvement matching grant program now known as the Gateway Corridor Improvement Matching Grant Program.

Serita Hill, Executive Assistant, indicated she could not put up the presentation due to technological issues with the computer system.

Tom Carrino, Economic Development Director, provided an overview of the history of the program and reviewed the proposed changes to the Gateway Corridor Improvement Matching Grant Program as follows: 1) Increasing the maximum award from $3,000 to $6,000 (previously approved but not by resolution); 2) Increasing the cap on landscaping from $450 to $900; and 3) Expanding the geography to include the downtown entertainment district.

Commissioner Cobb suggested including farther out Orange Avenue with Mr. Neibert suggesting that it be changed to go east on Orange Avenue to the City limits.

Mr. Schroth opened the public hearing at 7:19 p.m. There being no public comment, the hearing was closed at 7:19 p.m.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Cobb, to approve Resolution Number 21-09. Motion carried by the following votes:

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

7.3 Ordinance Number 20-32: Voluntary Annexation of property located on north side of CR 44A, east of East Eldorado Lake Drive
Ordinance Number 20-33: Comprehensive Plan amendment assigning future land use designation to above property
Ordinance Number 20-34: Assigning a design district designation to the above property
Ordinance Number 20-35: Voluntary annexation of property located on the south side of CR 44A and west of Thrill Hill Road
Ordinance Number 20-36: Comprehensive Plan amendment assigning a future land use designation to the above property
Ordinance Number 20-37: Assigning a design district designation to the above property
Ordinance Number 20-38: Voluntary annexation of property located on the east side of Thrill Hill Road and north of Reedy Road
Ordinance Number 20-39: Comprehensive Plan amendment assigning a future land use designation to the above property
Ordinance Number 20-40: Assigning a design district designation to the above property

Mr. Schroth announced that staff is again requesting continuance of the next nine ordinances - Ordinances 20-32 through 20-40 - to a date certain to allow more time for City and County staff to complete negotiations regarding land uses in the joint planning area.

Mr. Schroth opened the public hearing regarding continuance of Ordinances 20-32 through 20-40 at 7:20 p.m.

Dee Gretzler expressed frustration for the postponements and asked if a decision has been made on the density for the areas, if an impact study has been done on the cost to run water and sewer and who would pay for that with Mr. Neibert explaining they are only discussing the continuance of the ordinances.

Ms. Gretzler then asked them to consider something more rural and more unique. She questioned why the postponement just goes from week to week and urged them to take any extra time to talk to the residents.

Mr. Neibert explained staff is still negotiating with Lake County on an agreement.

There being no further public comment, the hearing was closed at 7:23 p.m.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Hawkins, to continue Ordinance Numbers 20-32 through 20-40 to the March 4th meeting because of the County's actions prohibiting the City from holding a public hearing and finalizing approval. Motion carried by the following votes:

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

7.4 <u>Ordinance Number 20-41: Voluntary Annexation of property located north and south of Pine Meadows Golf Course Road</u>
<u>Ordinance Number 20-42: Comprehensive Plan Amendment for property located north and south of Pine Meadows Golf Course Road</u>
<u>Ordinance Number 20-43: Design District Assignment for property located north and south of Pine Meadows Golf Course Road</u>

Mayor Holland requested that Ordinances 20-41 through 20-43 also be continued.

Mr. Schroth opened the public hearing on the continuance of Ordinances 20-41 through 20-43 to the March 4, 2021, Commission agenda at 7:25 p.m. There being no public comment, the hearing was closed at 7:25 p.m.

Moved by Vice Mayor Lee, seconded by Commissioner LeHeup-Smith, to continue Ordinances 20-41, 20-42 and 20-43 to the March 4th Commission meeting. Motion carried by the following votes:

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

8. FUTURE AGENDA ITEMS

8.1 Commissioner Cobb asked if the Chamber sign can be fixed so the public can find them with Mr. Neibert indicating that is being addressed. She then asked to have signage placed on the lakefront regarding the gators. She noted someone was throwing stuff at the gator. She also requested the City obtain hand wand metal detectors to check individuals as they enter the Commission meetings with Acting Chief Ken Birkhofer indicating they do have a wand. She also asked about the status of the joint project on the community garden with the 4-H Club with Mr. Neibert indicating he would obtain a report from the Parks and Recreation Director.

Commissioner Cobb then asked about receiving a presentation about commercial and residential fencing guidelines. She then requested a list of all the City-owned properties and expressed support for trying to get them back on the tax rolls.

Mr. Neibert responded that was done previously prior to the first mow-to-own program; however, staff can do that again to see which ones could be disposed of.

Commissioner Cobb expressed concern about the donation bins and asked to have discussion on that during a future meeting. She noted that she had received a copy of the County's ordinance.

Mr. Schroth confirmed she would like a draft ordinance on the next agenda based on the County's ordinance.

Commissioner Cobb commented on the number of properties that are in the County but are surrounded by the City. She asked to have a workshop on enclaves with Mr. Neibert indicating the City had a meeting with the County in 2016 to get an interlocal agreement for the annexation of enclaves and they were told "no". She then noted that she had spoken with County Commissioner Leslie Campione who indicated she would be happy to attend a workshop.

Vice Mayor Lee requested an update on the issues brought up during the retreat. She then asked when they would do a budget workshop with Mayor Holland explaining that Finance and the City Manager would be preparing a calendar for the budget process.

Discussion was held regarding the format for a budget workshop with Mr. Neibert asking if they would like a review of the various funds. He confirmed their desire to have departmental presentations as part of the development of the next year's budget.

9. COMMENTS

9.1 City Commission

Commissioner LeHeup-Smith encouraged everyone to go look at the improvements to Harper's Alley and Tilley's. She noted the upcoming Georgefest and encouraged attendees to practice safety. She wished Karen Carroll "happy birthday".

Vice Mayor Lee reported on her experience at the radio station with Erin Bailey and Lance Pauli. She also commented on the upcoming Georgefest and encouraged everyone to be safe.

Commissioner Cobb thanked Tom Carrino and Ron Neibert regarding allowing her and Tom to visit businesses about the Gateway Grant. She announced they recently received four or five applications. Thanked Chief Birkhofer and Capt.

Carney for the increased police presence in town. She thanked staff for the repairs to the Pineapple Point park fence.

Commissioner Hawkins thanked Antonio Wallace for doing the invocation. He announced he was contacted by the Fellowship of Christian Athletes about doing a cleanup on March 13th.

Mr. Neibert asked for him to have their head person contact him to schedule a meeting.

Commissioner Hawkins then reported that he spoke with one of the teachers at EHS regarding the senior prom. He asked for the Commission to do more with the high school. He noted he would be meeting with the principal to encourage them to join the Chamber. He questioned why code enforcement is not under the police department.

Mr. Neibert explained the code enforcement violations are more land use related so it is easier for it to be administered by Development Services.

Commissioner Hawkins expressed support for the City code enforcement officers to carry weapons.

Mr. Neibert explained that if the code enforcement supervisor is aware of an issue he does ask for a police escort. He indicated he would have to discuss that suggestion with the City Attorney.

9.2 City Manager

Mr. Neibert commented on a planned meeting for the next week with Atrium Management regarding the proposed downtown development. He indicated he would be contacting the Commissioners individually to discuss some of the key issues and obtain their individual opinions.

9.3 City Attorney - None

9.4 Mayor

Thanked the other Commissioners for their involvement and cited some of their recent activities. He noted the Rotary luncheon where the Fire Dept. was honored for their food drive and added they raised more than Mount Dora and Tavares combined. He encouraged everyone attending Georgefest to wear masks, wash their hands and social distance. He cited vaccination sites that are opening around the City. He explained that is being handled by the Health Department.

10. ADJOURNMENT

**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