APPROVED: 1/7/2021

MINUTES

Regular City Commission Meeting

6:00 PM - Thursday, December 17, 2020 - City Hall

INVOCATION: MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE: COMMISSIONER MORIN

CALL TO ORDER: 6:21 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Robert Morin, Commissioner Marie Aliberti, Vice Mayor Emily Lee, Commissioner Karen LeHeup-Smith and Mayor Michael Holland

1. AGENDA UPDATE

2. APPROVAL OF MINUTES

2.1 December 3, 2020 - Regular City Commission Meeting

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

Ayes: Commissioner Morin, Commissioner Aliberti, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

3. PRESENTATIONS

3.1 Proclamation recognizing Sgt. Dan Post on his retirement after 27 years with the Eustis Police Department

Mayor Holland presented a proclamation to Sgt. Dan Post of the Eustis Police Department recognizing him on the event of his retirement after 27 years with the City and the department.

Capt. Ken Birkhofer presented retired Sgt. Dan Post with his duty weapon.

Sgt. Post commented on his experience with the department. He thanked God, his wife Ellen, his children Tyler and Mallory, Captains Ken Birkhofer and Gary Winheim, Sgt. Elena Pasek and the community, City staff members and coworkers.

3.2 Presentation of plaques to outgoing Commissioners Marie Aliberti and Robert Morin

Mayor Holland presented awards of service to outgoing Commissioners Marie Aliberti and Robert Morin.

4. AUDIENCE TO BE HEARD

4.1 David Serdar addressed the Commission wishing them a Merry Christmas and explaining his efforts to get breathalyzers put in all cars and commented on problems with drunk drivers.

Gail Isaac Thomas thanked the Commission for their patience during 2020 and expressed her willingness to continue to serve on the CRA Board.

5. CONSENT AGENDA

5.1 Resolution Number 20-90: Approving acceptance of Edward Byrne Memorial Justice Assistance Grant

5.2 Resolution Number 20-92: Approval of amended interlocal agreement for distribution of CARES Act funding dollars

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

Ayes: Commissioner Morin, Commissioner Aliberti, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 Resolution Number 20-88: Refuse Collection Rate Increase

Derek Schroth, City Attorney, announced Resolution Number 20-88: A Resolution by the City Commission of the City of Eustis, Lake County, Florida; authorizing adjustment to City of Eustis rates for the solid waste collection services, to provide for the annual adjustment of the Garbage and Trash Rate Index provided by the U.S. Bureau of Labor for Waste Management, Inc. of Florida to be effective January 1, 2021.

Mike Sheppard, Finance Director, reviewed the request to increase the City's solid waste fees by the Garbage and Trash Rate Index. He reviewed the history of the contract with Waste Management Inc. noting it will expire in 2024. He explained the change to the Garbage and Trash Rate Index as it is less volatile versus the Refuse Rate Index. He stated the rate would increase by 40 cents for residential service and would be effective January 1st but residents would see the increase in February since the City bills in arrears. He stated staff's recommendation for approval.

Mr. Schroth opened the public hearing at 6:40 p.m.

David Serdar addressed the Commission regarding recycling.

There being no further public comment, the hearing was closed at 6:42 p.m.

Moved by Commissioner Aliberti, seconded by Commissioner Morin, to approve Resolution Number 20-88. Motion carried by the following votes:

Ayes: Commissioner Morin, Commissioner Aliberti, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.2 Resolution Number 20-89: Site Plan with Waivers and Phasing Plan - North Eustis Ace Hardware

Mr. Schroth announced Resolution Number 20-89: A Resolution of the City Commission of the City of Eustis, Florida; approving a site plan with waivers and phasing plan for a 10,902 +/- square foot retail store and future mini-storage units located on approximately 3.54 acres located on North SR 19 one block south of its intersection with West CR 44.

John Bertrand, Senior Planner, reviewed the proposed site plan, requested waivers and phasing plan for the North Eustis Ace Hardware. He stated the site plan is for a 10,902 +/- sq.ft. retail facility with future mini storage units. He explained the two requested waivers are for the following: 1) The lot typology dimensions due to the lot being created prior to the adoption of the current code; and 2) elimination of one buffer hedge requirement due to there already being an existing hedge on the adjoining property. He stated the request is generally consistent with the Land Development Regulations and stated staff's recommendation for approval.

Mr. Schroth opened the public hearing at 6:46 p.m. There being no public comment, the hearing was closed at 6:46 p.m.

Moved by Commissioner Morin, seconded by Commissioner LeHeup-Smith, to approve Resolution Number 20-89. Motion carried by the following votes:

Ayes: Commissioner Morin, Commissioner Aliberti, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.3 Resolution Number 20-91: Preliminary Subdivision Plat with Waivers - Bates Subdivision

Mr. Schroth announced Resolution Number 20-91: A Resolution of the City Commission of the City of Eustis, Florida; approving a preliminary subdivision plat with waivers for the Bates Subdivision (Oakmere), a forty-nine lot single-family residential subdivision, on approximately 13.95 +/- acres located on the northwest corner of Estes Road and Bates Avenue.

Lori Barnes, Development Services Director, presented the preliminary subdivision plat with waiver for the Bates Subdivision, to be known as Oakmere. She stated the property owner and applicant is Lake RC Inc., represented by Green Consulting Group. She explained the request is for a 49-lot single-family subdivision plat with one waiver for the buffer wall height along public right-of-way. She provided a history of the project explaining that the plat was originally approved by Resolution 20-46 on August 6, 2020; however, after approval it became known to the City that there was questionable applicability of an LDR provision to this subdivision request. Therefore, on November 5, 2020 the Commission rescinded Resolution 20-46. The Commission on November 17, 2020, amended the Land Development Regulations to clarify the legislative intent and eliminate ambiguity in the code. On November 30, 2020, Lake RC submitted a new application which is substantially consistent with what the Commission approved via Resolution 20-46 with the exception of the elimination of one waiver request. She provided an overview of the subdivision plan noting the site has a future land use designation of Suburban Residential with a

Suburban Neighborhood design district and citing various criteria as explained in the staff report.

Ms. Barnes confirmed that the City Engineer and the St. John's River Water Management District both reviewed the stormwater plan and confirmed that post development runoff would not exceed pre-development. She stated the permit for the project was approved by St. John's. She explained that, while development will involve removal of a number of trees, the plan does provide for saving 95 oak trees in the buffer and park areas and that, at buildout, over 300 trees will be provided within the development. She noted the location of the six-foot buffer wall which is intended to buffer the backyards and will help with light intrusion and noise reduction. She cited other nearby developments with similar buffer walls. She stated the price point is estimated at mid-$250,000 to $300,000. She indicated staff has received approximately 17 emails in opposition which have been provided to the Commission. She noted previous public hearings have been held regarding the project during annexation with a substantial amount of public input. She stated staff's recommendation for approval stating it is substantially consistent with the Comprehensive Plan and Land Development Regulations. She added that Tim Green, Green Consulting Group, and Tom Zahn, Lake RC, are present to answer questions.

Mayor Holland asked that the City Clerk make sure all emails and correspondence are made a part of the public record.

Mr. Schroth opened the public hearing at 6:56 p.m.

Dan Langley, Fishback Dominick law firm representing Robert E. Panuska and Promise Fields LLC, provided a letter of objection and an appendix of documents that he requested be placed into the public record. He requested additional time for his presentation noting that his client will be adversely effected by the application and he does own multiple parcels proximate to the subject property. He stated his concerns regarding the adverse effect on drainage and stormwater runoff to Lake Swatara, increase in traffic and the inappropriate density assigned to the subdivision. He commented on the existing lot sizes compared to the proposed. He then stated his reasons why the Commission should deny the application. He opined that when the Commission rescinded the previous approval that was a withdrawal and stated that City code 102-6 requires when an application is withdrawn it is barred from re-application for six months. He indicated the submittal of a new application shows that the previous one was withdrawn and what was previously approved is not the same as what is being submitted. He stated it is, therefore, an inappropriate hearing and the Commission should not continue. He then commented on the Jenney litigation and opined that the City schemed in a private meeting to change the City policy so that the restriction of 85% of lot sizes would not apply. He further opined that the Commission exceeded the scope and limitation of the closed door meeting held on October 15th and any action they would take on the subdivision plan would be void if approved. He added that the City's ordinance amending the code is void due to being discussed in private. He then stated that the plan violates the code section that requires a maximum impervious surface area ratio of 25%. He further stated that the City's Comprehensive Plan requires in the Wekiva Study Area high recharge areas, which this property is designated in Map 12 of the plan and further confirmed by soils reports as being consistent with 100% Type A soils, that the maximum impervious surface ratio is 25%; however, the plan proposes 40% impervious area and, therefore, should not be approved.

Mr. Langley continued stating another reason the plan should be denied is because the City's code lacks mandatory objective criteria for considering the application and the waivers. He stated the City's code specifies no criteria but only provides a list of what must be submitted not what the Commission should consider in determining approval or denial. He added that the waiver provision only requires submittal of a request and the Commission can consider approval. He stated anything approved would be unconstitutional since there are no specified criteria. He then stated that the subdivision application continues to violate Section 115-3.2 which requires evaluation of adjacent lot size and application of the 85% rule. He summarized stating that it is clear the Commission has already made up their minds they are going to approve the application and reiterated his assumption that the Commission came up with the scheme to just change the code. He stated that, according to the City's Comprehensive Plan and code, the City is supposed to have a stricter Wekiva impervious surface area ratio applied to any property with Type A soils. He introduced Ed Williams to testify as to the 25% rule and why it applies. He stated the developer is not entitled to all the lots being requested. He emphasized that the application does not meet the code or the Comprehensive Plan and the City's land development regulations are deficient on standards . He stated the application was not submitted with all of the requirements under the code. He indicated whatever the Commission has received was not submitted with the current application but were submitted with the previous application. He commented on the requirements for review by the Development Review Committee and stated no submittals were received and there were changes in the application. He concluded asking the Commission to deny the application.

Mayor Holland asked the City Attorney about the points made by Mr. Langley.

Mr. Schroth responded to Mr. Langley's claims as follows: 1) Withdrawal of the previous application. He stated the application was approved and not withdrawn. He reviewed the sequence of events stating the application was approved, a lawsuit was filed challenging the approval, then the lawsuit was mooted by addressing the alleged deficiencies in the approval and application, the resolution was rescinded. He opined that what was submitted was an amendment rather than a new application. 2) Allegation of a Sunshine Law violation - He stated without having been present or having reviewed the transcript, it was based on the timing of the public hearings. He indicated they were in that meeting and it does not support that contention. 3) Violation of the code or incompliance with code - He stated that the staff report is competent substantial evidence that the Commission can rely upon. He stated that the Commission can rely upon the staff report as well as the conclusions in the staff report in making their decision. 4) Regarding arguments that the City code is invalid and lacks sufficient guidance to the Commission - The Commission has the discretion to grant waivers. No argument was presented on why a waiver should not be granted in that instance. 5) Relying on existing codes - That is true for the purposes of filing an application and having an application pending; however, in this instance, the residents relying on existing codes - the legislative body has discretion to change the code to address the codes, amend them or delete them.

Edward Williams, Williams Development Services, was sworn in by Mr. Schroth to provide testimony. He reviewed his experience and stated he was hired to review the application, submittals, and staff report.

There was a technical problem with the DCR Recorder. It had to be stopped and restarted at 7:11 p.m. There are two separate recordings for this meeting with a slight gap at 7:11 p.m.

Mr. Williams stated the application is not in compliance with the impervious surface requirements for the Wekiva Study Area. He stated that the applicant's soil studies, the Comprehensive Plan maps and the staff reports all indicate the property is prime recharge area and the code requires that the impervious surface ratio must be reduced to 25%. He stated the maximum impervious surface for the area is 25% and what is being proposed is 40% and that is wrong.

The following individuals addressed the Commission in opposition to Resolution 20-91: 1) Cindy Newton who presented a petition consisting of 91 signatures; and 2) Clifton Jenney.

Mr. Schroth swore in Tim Green as the representative for Tom Zahn and Lake RC.

Tim Green, Green Consulting Group, responded to the comments on behalf of the applicant. He indicated he was not prepared to address the 25% versus 40% issue; however, he did some quick calculations. He commented on the impervious surface calculations and stated he doubted the houses would be as large as the calculations indicate. He emphasized the purpose of the meeting is to discuss the subdivision design and preliminary plat, not annexation, not design district, not comprehensive plan except as it is applied to the subdivision itself. He stated the St. John's permit was issued on August 24, 2020. He reviewed the history of the project annexation and the development review by various state agencies and noted there were no objections presented by any of the state agencies. He indicated he had reviewed the objection letters received prior to 4 p.m. that day. He cited two objections by City residents one who had comments regarding the need for the City to focus on the downtown area and one objecting to providing incentives to developers. He commented on an Estes Road development which is designated Urban Low in the County which allows up to 4 units per acre with 25% open space. He cited another development, zoned R-1 in the County, with one acre lots. He indicated under the current County code, they could have rezoned under the County's Comprehensive Plan to 4 units per acre with 25% open space. He added they have zero open space on that property. He cited another property on Bates Avenue, directly across the street, is also Urban Low which allows 4 units per acre with 25% open space and zoned R-1. He indicated they chose to build with larger lots. He also cited the Fox Hollow Development, approved in November 1985 with 28.99 acres and 29 lots for one dwelling unit per acre. He stated it is in Rural Transition which allows by right one unit per five acres; however, with 35% open space you can have one unit per three acres and with 50% open space, you can have one unit per acre. He indicated it is zoned R-2. He stated Fox Hollow is surrounded on north, south and east sides by agricultural properties and Rural Transition. He stated the remaining objections all came from the Lake Swatara development which was approved in July 1987 with 19.3 acres of uplands with 16 lots for .81 dua. He indicated it is also designated Rural Transition which did not exist in 1987. He reviewed the allowed densities in Rural Transition explaining the required open space does not include open space within the lots but must be designated open space. He indicated that the development has no designated open space. He cited other areas with no open space, no curbs and gutters just open swales.

Mr. Green then commented on the objection from Ms. Newton which expresses concern regarding Section 115-23 of the subdivision regulations and how the compatibility is written and not applied. He indicated her property is also Rural Transition. He cited Section 115-3.2 Suburban Districts which outlines how suburban residential compatibility is to be considered as follows: "Maximum density within a suburban district shall be consistent with the maximum density of the actual land use district assigned to each individual property." He stated that clause is definitely talking about the subject property not surrounding properties. He then quoted: "The maximum residential density permitted in the suburban neighborhood design district shall be consistent with the maximum density of actual land use district assigned to each individual property." He stated that it again is speaking about the uses assigned by the City to the subject property. "It shall be further limited by compatible building lot types as permitted in Chapter 110." He stated that is where the discussion begins about how the maximum density would be limited by the additional standards in Chapter 110. He cited subparagraph (c): Transitions within a design district/edge condition standards: "When any suburban design district abuts an existing development, whether residential or commercial, the following shall occur: (1) The new residential building lot typologies that are proposed adjacent to existing or platted residential lots may not be smaller than 85 percent of the lot width or intensity of the existing adjacent residential lot(s)." He stated that under the City's regulations which were changed there is no residential property adjacent. Per Lake County code, the land to the north is an agricultural district nor is it a platted property not residential per se. He concluded that the developments beside, north and south of the subject property have not taken advantage of the full intensity standards they could have and neither has the applicant. He indicated what would have been allowed under the lot types allowed within the Suburban Neighborhood - estate, house and duplex typologies. He stated the application is for 49 lots and noted that the duplex typology could have allowed 54 +/- lots so they did not take their application to the maximum allowed.

Mr. Langley requested he be allowed to question Mr. Green and Mr. Schroth agreed.

Mr. Langley asked if the applicant was aware of the City's intent to rescind the previous approval before it happened with Mr. Green stating it was publicly noticed. He indicated he was made aware but he could not state whether or not the applicant was aware.

Mr. Langley asked when he was made aware of the intent to rescind with Mr. Green indicating he did not know a date certain. Mr. Langley then asked if it was before the public was informed with Mr. Green stating he did not know.

Mr. Langley asked if the subject property has Type A soils with Mr. Green responding he has not reviewed the soil analysis.

Mr. Langley then asked what Mr. Green's function is in relation to the applicant with Mr. Green stating he is a land planner.

Mr. Langley then asked if he is aware the property is in the Wekiva Study Area and has high recharge soils with Mr. Green responding that he is aware it is in the Wekiva Study Area; however, he is not an expert on the soil types there.

Mr. Langley asked if he is an expert on future land use maps and the series in the comprehensive plan with Mr. Green responding affirmatively. Mr. Langley then asked if he has reviewed Map 12 of the City's comprehensive plan series future land use map series 12 with Mr. Green stating he would have to see it to respond. Mr. Langley presented to Mr. Green a copy of future land use map series Map #12.

Mr. Schroth confirmed that the map being presented to Mr. Green was included in the binder presented to the City Clerk with Mr. Langley responding affirmatively.

Mr. Langley asked if Mr. Green would agree that the subject property is shaded in purple and identified as a high recharge area. Mr. Green agreed, based on the map. He noted that it says "most effective undeveloped recharge area"; that it does not say "high recharge area" on the map.

Mr. Langley asked if the applicant, or himself on behalf of the applicant, objected to the City rescinding the prior approval with Mr. Green indicating they did not object. Mr. Langley asked why they did not object to the rescission of the approval with Mr. Green responding he agreed because his name was in the lawsuit. Mr. Langley stated that, because of the litigation, the applicant was aware of and did consent to the rescission of the prior approval. Mr. Green responded stating he is asking him to respond on behalf of the applicant and he is not the applicant.

Mr. Langley asked if he was aware of whether or not the applicant or himself consented to the withdrawal with Mr. Green stating he did not have the authority to consent or not.

Mr. Schroth objected to Mr. Langley again asking the question with Mr. Langley stating his belief that Mr. Green was being evasive. Mr. Schroth indicated Mr. Green could ask his question one more time.

Mr. Green interjected that Mr. Langley has asked if he is the applicant and he is not the applicant on the project. He is a consultant on the application.

Mr. Langley asked if he, on behalf of the applicant, or the applicant consented to the City's rescission of the prior subdivision approval with Mr. Green stating he cannot speak on behalf of the applicant.

Mr. Langley asked about Mr. Green himself with Mr. Green stating he was not a part of the action and would not have authority to consent or not to consent.

Mr. Langley asked how he would characterize the events that led up to the rescission of the original subdivision approval with Mr. Green responding the owner of the property was told that maybe the City Commission was going to rescind the approval.

Mr. Langley asked if he had any other idea about the communications between the City and the applicant or himself as to how that came about with Mr. Green responding they were reacting to the lawsuit.

Mr. Langley asked what is the status of the prior application that was filed for the subdivision plan with Mr. Green stating the approval was rescinded.

Mr. Langley asked about the filing of the new application on November 30, 2020 with Mr. Green responding he was not privy to that.

Mr. Schroth swore in Lori Barnes and had her confirm under oath that the statements she made in the presentation were true.

There being no further public comment, the hearing was closed at 7:41 p.m.

The following individuals provided emails or phone calls in opposition to Resolution Number 20-91: 1) Howard Skip Babb and Ginger Cassady Babb; 2) Karen Berryman; 3) Marvin Burkholder; 4) Bonnie Figliolia; 5) Dave Macias; 6) Edward and Elizabeth McDade; 7) Cindy Newton; 8) Conrad Schmidt; 9) Linda Staley; and 10) Cheryl and Donald Wyatt.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Morin, to approve Resolution Number 20-91. Motion carried by the following votes:

Ayes: Commissioner Morin, Commissioner Aliberti, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.4 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 the next nine ordinances are all pertaining to issues in a different lawsuit that was filed in the Lake County Circuit Court. He noted there are at least three attorneys present - Allison Yerko representing at least one property owner, Dan Langley representing Robert Panuska and Promise Fields and County Attorney Melanie Marsh. He recommended that the City Commission consolidate ordinances 20-32 through 20-40 and continue all nine ordinances.

Mr. Schroth opened the public hearing on consolidation and continuance of the ordinances at 7:43 p.m.

Mr. Langley questioned how long the continuance would be for with Mr. Schroth responding that it would be to the next Commission meeting on January 7, 2021. He stated the reason is that City and County staff met on Tuesday, December 15th and there was some progress made toward a resolution; therefore, staff has recommended continuance to the next meeting.

Mr. Langley expressed concern that the two weeks is insufficient time for a continuance and that the annexations be withdrawn.

There being no further public comments, the hearing was closed at 7:45 p.m.

Moved by Vice Mayor Lee, seconded by Commissioner Aliberti, to continue second reading of Ordinances Number 20-32, 20-33, 20-34, 20-35, 20-36, 20-37, 20-38, 20-39 and 20-40 to January 7, 2021 because the County's actions have prevented the City from having a hearing and finalizing approval. Motion carried by the following votes:

Ayes: Commissioner Morin, Commissioner Aliberti, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.5 Ordinance Number 20-47: Voluntary Annexation of Royal Brothers property
Ordinance Number 20-48: Comprehensive Plan Amendment assigning future land use designation to Royal Bros. property
Ordinance Number 20-49: Assigning Design District designation to Royal Bros. property

Mr. Schroth read Ordinance Number 20-47 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 10.04 acres of real property lying west of Kurt Street and east of David Walker Drive.

Mr. Bertrand reviewed the requested annexation of 10.04 acres located west of Kurt Street and east of David Walker Drive and the affiliated future land use and design district designations. He stated the applicant is requesting the property's future land use designation be changed from Urban Low in Lake County to Mixed Commercial/Residential (MCR) in the City and that the City assign a design district designation of Suburban Neighborhood to the property. He explained staff's review and analysis of the annexation and requested designations and stated staff's recommendation for approval and stated the request is consistent with the Comprehensive Plan and joint planning area.

Mr. Schroth opened the public hearing on Ordinance Number 20-47 at 7:49 p.m.

Mr. and Mrs. Rager noted the property is landlocked and asked where the road access will occur.

Mr. Bertrand explained the applicant has contiguous property which would be used to construct an access road off of David Walker Drive.

Nicholas Hill, representing the applicant, stated the access will come from David Walker Drive.

There being no further public comment, the hearing was closed at 7:52 p.m.

Moved by Commissioner Morin, seconded by Vice Mayor Lee, to approve Ordinance Number 20-47 on first reading. Motion carried by the following votes:

Ayes: Commissioner Morin, Commissioner Aliberti, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.6 Ordinance Number 20-48: Comprehensive Plan Amendment assigning future land use designation to Royal Brothers property

Mr. Schroth read Ordinance Number 20-48 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 (1) F.S.; changing the future land use designation of approximately 10.04 acres of recently annexed real property lying west of Kurt Street and east of David Walker Drive from Urban Low in Lake County to Mixed Commercial/Residential (MCR) in the City of Eustis.

Mr. Schroth opened the public hearing at 7:53 p.m. There being no public comment, the hearing was closed at 7:53 p.m.

Moved by Commissioner Aliberti, seconded by Commissioner Morin, to approve Ordinance Number 20-48 on first reading. Motion carried by the following votes:

Ayes: Commissioner Morin, Commissioner Aliberti, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

6.7 Ordinance Number 20-49: Assigning design district designation to Royal Brothers property

Mr. Schroth read Ordinance Number 20-49 by title only 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 10.04 acres of recently annexed real property lying west of Kurt Street and east of David Walker Drive.

Mr. Schroth opened the public hearing at 7:53 p.m. There being no public comment, the hearing was closed at 7:53 p.m.

Moved by Commissioner Morin, seconded by Vice Mayor Lee, to approve Ordinance Number 20-49 on first reading. Motion carried by the following votes:

Ayes: Commissioner Morin, Commissioner Aliberti, Vice Mayor Lee, Commissioner LeHeup-Smith and Mayor Holland

7. FUTURE AGENDA ITEMS: NONE

8. COMMENTS

8.1 City Commission

Commissioner Aliberti commented on her service as a Commissioner and her intent to be involved from the other side and to still be there for the citizens.

Commissioner Morin commented on his initial appointment to complete the term of Bill Brett and subsequent election. He thanked his wife Tina for her assistance. He commented on the growth in the City and the need for input from the community. He encouraged residents to provide positive input and to be involved with City organizations such as the Chamber. He cited his willingness to serve on the Historic Preservation Board. He thanked everyone for their support during his term.

Mayor Holland thanked Commissioner Aliberti and Commissioner Morin for their service. He commented on how the Commissioners work together and put aside their differences after a meeting. He encouraged them to stay involved.

8.2 City Manager

Mr. Neibert reported on staff's meeting with residents at Bay State South and indicated an agreement would come to the Commission at the first meeting in January.

8.3 City Attorney

Mr. Schroth encouraged the Commission to contact him with any questions they have about any current or pending litigation.

8.4 Mayor

Mayor Holland commented on why the Commission serves. He noted they only receive $5400 per year and it is much more than two meetings per month. He commented on all the Commissioners have to do. He cited the Commission's desire to work with the County. He commented on his desire to have a face to face meeting between the City and County Commissions and wished everyone a Merry Christmas and Happy New Year.

9. ADJOURNMENT: 8:03 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

Mayor/Commissioner

City of Eustis, Florida

January 7, 2021

OATH OF OFFICE

I, Emily A. Lee, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution and Laws of the State of Florida and the Charter of the City of Eustis; and that I will faithfully perform all the duties of the office of City Commissioner, Seat #5, on which I am now about to enter, so help me God.

Emily A. Lee

Emily A. Lee, City Commissioner, Seat #5

Sworn to and subscribed before me this 7th day of January, 2021, by Emily A. Lee, who is personally known to me.

Mary C. Montez

Mary C. Montez, City Clerk of Eustis, Florida

City of Eustis, Florida

January 7, 2021

OATH OF OFFICE

I, Willie Lee Hawkins, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution and Laws of the State of Florida and the Charter of the City of Eustis; and that I will faithfully perform all the duties of the office of City Commissioner, Seat #3, on which I am now about to enter, so help me God.

____

Willie Lee Hawkins, City Commissioner, Seat #3

Sworn to and subscribed before me this 7th day of January, 2021,
By Willie Lee Hawkins,, who is personally known to me.

Mary C. Montez

Mary C. Montez, City Clerk of Eustis, Florida

City of Eustis, Florida

January 7, 2021

OATH OF OFFICE

I, Nan Cobb, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution and Laws of the State of Florida and the Charter of the City of Eustis; and that I will faithfully perform all the duties of the office of City Commissioner, Seat #4, on which I am now about to enter, so help me God.

Nan Cobb, City Commissioner, Seat #4

Sworn to and subscribed before me this 7th day of January, 2021, by Nan Cobb, who is personally known to me.

Mary C. Montez, City Clerk of Eustis, Florida