



APPROVED: 12/3/2020

MINUTES

Regular City Commission Meeting

6:00 PM - Thursday, November 19, 2020 - City Hall

INVOCATION: MOMENT OF SILENCE WAS OBSERVED.

PLEDGE OF ALLEGIANCE: VICE MAYOR LEE

CALL TO ORDER: 6:01 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

ABSENT: Commissioner Marie Aliberti

1. AGENDA UPDATE

2. PRESENTATIONS

2.1 Recognition of Eagle Scout designees from Troop 250

Mayor Holland recognized four young men for their accomplishment of attaining the rank of Eagle Scout: Andrew Bartels, Elijah Smith, Gauge Simpson and Hunter Wiederman. He also presented a Certificate of Recognition to the family of Rachel Abdenschein for the Spirit of Eagle Award. He commented on the benefits of Scouting to the country and community.

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

Spencer Follmar, SpenceTF LLC, presented his first quarterly update regarding their drive-in theater project. He reported on the status of the environmental report which has been submitted to the City for review. He noted there were no outstanding issues in the report. He stated the next step is to order the geotechnical survey.

3. AUDIENCE TO BE HEARD

3.1 Garrett Bunnell thanked the Scouts for their service and commented on Police Captain Gary Winheim's service to the community. He then addressed the Commission regarding a water leak he experienced due to a tree root. He stated his first month's bill following the leak was \$3500 and the next month it was \$1500. He asked for some consideration in reducing the cost.

4. CONSENT AGENDA

4.1 Resolution Number 20-83: Purchase in excess of \$50,000 for a 2020 John Deere 5090E Tractor and Rhino TS12 Bush Hog

- 4.2 Resolution Number 20-85: Bid Award for the Continuing Services Agreement for Roofing Construction for Various City Projects
- 4.3 Resolution Number 20-86: Expressing support for the Lake County Commission proposal to the Florida Association of Counties to amend the allowed use of the Tourist Development Tax

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

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

5. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

- 5.1 Ordinance Number 20-44: Amendment to Chapter 100 of the Land Development Regulations

Derek Schroth, City Attorney, read Ordinance Number 20-44 by title on final reading: An Ordinance of the City Commission of the City of Eustis, Florida, amending the Land Development Regulations, Chapter 100, Definitions; providing for codification, severability and an effective date.

Mr. Schroth opened the public hearing at 6:09 p.m.

Cindy Newton addressed the Commission regarding her objections to the amendment to the Land Development Regulations due to the wildlife, elevations and issues with flooding. She commented on the possible effects on Lake Swatara. She cited damage she already has to her property.

There being no further public comment, the hearing was closed at 6:14 p.m.

Moved by Commissioner Morin, seconded by Commissioner LeHeup-Smith, to adopt Ordinance Number 20-44 on final reading. Motion carried by the following votes:

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

- 5.2 Ordinance Number 20-45: Amendment to the Land Development Regulations, Chapter 109, Section 109-4 Use Regulations Table

Mr. Schroth read Ordinance Number 20-45 by title on final reading: An Ordinance of the City Commission of the City of Eustis, Florida, amending the Land Development Regulations, Section 109.4 Use Regulations Table; providing for codification, severability and an effective date.

Mr. Schroth opened the public hearing at 6:14 p.m. There being no public comment, the hearing was closed at 6:14 p.m.

Moved by Commissioner Morin, seconded by Commissioner LeHeup-Smith, to adopt Ordinance Number 20-45 on final reading. Motion carried by the following votes:

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

5.3 Ordinance Number 20-46: Amending Chapter 100 of the Land Development Regulations - Definition of Pharmacy to Include Dispensaries of Medical Marijuana (Cannabis)

Mr. Schroth read Ordinance Number 20-46 by title on final reading: An Ordinance of the City Commission of the City of Eustis, Florida; amending Chapter 100 of the Land Development Regulations to revise the definition of "Pharmacy," to provide that, for purposes of these regulations, dispensaries of medical marijuana (cannabis), as permitted by the Florida Statutes 381.896 and approved by the Office of Medical Marijuana Use, Florida Health Department, shall be considered pharmacies, and that such dispensaries shall be permitted within the City Limits of Eustis; providing for codification, severability and an effective date.

Mr. Schroth opened the public hearing at 6:15 p.m. There being no public comment, the hearing was closed at 6:15 p.m.

The Commission noted positive comments they had received following first reading and expressed appreciation for the work Commissioner Aliberti had done on behalf of the issue noting the seminars around the state she attended which assisted with their decision.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Morin, to adopt Ordinance Number 20-46 on final reading. Motion carried by the following votes:

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

6. FUTURE AGENDA ITEMS: NONE

7. COMMENTS

7.1 City Commission

Commissioner Morin thanked the audience for wearing masks. He noted he had tested positive and commented on how he possibly contracted the disease.

Vice Mayor Lee expressed support for people wearing masks and for the local businesses requiring customers to wear masks. She noted her attendance at Coffee with a Cop and commented on the positive interaction with the public and encouraged them to continue the events.

7.2 City Manager

Ron Neibert, City Manager, reported that at the Tuesday County Commission meeting the Commission authorized the Commission Chair to sign a deed for a portion of the County Park to a local foundation dependent upon the City Commission's actions at the December 3rd meeting. He recommended the Commission take no action that night due to the absence of Commissioner Aliberti and noted procedurally it would be easier to take the action at the advertised date.

The Commission concurred with taking no action until the December 3rd meeting.

Mr. Neibert noted he is continuing with interviews for the new Parks & Recreation Director and should be able to announce the new director next week. He commented on the appreciation barbecue for staff and thanked those who helped.

7.3 City Attorney - None

7.4 Mayor

Mayor Holland commented on the number of employees who attended the appreciation barbecue and the longevity of many of them. He noted there is one employee with 45 years with the City and that person would be honored at one of the December meetings. He then commented on how the City is trying to address the homeless issue in the City and assist those people. He announced Light Up would be held next Friday and stated the opening event would occur in Ferran Park to allow more distancing. He encouraged everyone to wear masks.

Vice Mayor Lee thanked everyone who helped celebrate her mom's 92nd birthday.

8. **ADJOURNMENT: 6:25 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
City Clerk



MICHAEL L. HOLLAND
Mayor/Commissioner