APPROVED: 9/17/2020

MINUTES
Regular City Commission Meeting
6:00 PM - Thursday, September 3, 2020 - City Hall

NOTICE OF LIMITED SEATING
DUE TO REQUIRED SOCIAL DISTANCING, THERE WILL BE LIMITED SEATING FOR ALL CITY COMMISSION MEETINGS FOR THE FORESEEABLE FUTURE

Due to the Governor's Executive Orders pertaining to social distancing and the re-opening of businesses and other venues during the COVID-19 pandemic, there will be limited seating available for all City Commission meetings for the foreseeable future. Seating will be closed at 5:55 p.m. whether the meeting room is full or not due to no staff member being available to monitor the entrance. Anyone who is not able to obtain seating is encouraged to watch the livestreaming of the meetings from home and submit any comments or questions to the City Clerk via email at cityclerk@eustis.org. Please note that anyone attending the meeting must sit in the designated seats and cannot sit in clusters in order to maintain the CDC recommended six feet. Thank you for your cooperation.

INVOCATION: MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE: COMMISSIONER ALIBERTI

CALL TO ORDER: 6:01 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

1. AGENDA UPDATE

2. APPROVAL OF MINUTES

2.1 August 6, 2020 - Regular City Commission Meeting

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

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

3. PRESENTATIONS

3.1 Proclamation recognizing Joe Pellegrini for 17 years of service on Historic Preservation Board

Mayor Holland presented to Joe Pellegrini a proclamation honoring his 17 years of service on the Historic Preservation Board.

Mr. Pellegrini commented on his strong belief in volunteerism and thanked the City for the recognition.

4. AUDIENCE TO BE HEARD

4.1 Mary Montez, City Clerk, read an email from Gail Isaac Thomas expressing support for the Lake Eustis Marina lot unification.

5. CONSENT AGENDA

5.1 Resolution Number 20-62: Award of Bid Number 008-20 for the Haselton Water Treatment Plant Rehabilitation and Repainting of Potable Water Storage Tanks

6.2 Resolution Number 20-63: Lake Eustis Marina - Recognition of Unified Site

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

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

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 Resolution Number 20-56: Preliminary Subdivision Plat with Waivers - Lake Lincoln Subdivision

Derek Schroth, City Attorney, announced Resolution Number 20-56: A Resolution of the City Commission of the City of Eustis, Florida; approving a preliminary subdivision plat with waivers for the Lake Lincoln Subdivision, a 121-lot single-family residential subdivision, on approximately 35.8 acres on the south side of Lake Lincoln Lane.

Lori Barnes, Development Services Director, provided an overview of the preliminary subdivision plat for the Lake Lincoln subdivision noting that a concept plan was presented to the Commission in May. She stated that the proposed plat provides 31.1% of open space versus the required 25% and also will provide 2.67 acres of park space versus the required 1.5 acres. She explained the three requested waivers as follows: 1) Minimum lot width at street line for lots 8, 9, 10 and 11 and 41 to 42. She explained the code requires a minimum 55 feet at front line; however, the code allows for a reduced frontage for lots on a roadway curve. She stated the request is to reduce the minimum lot width at the street to allow 25 to 38 foot lot widths on the specified lots. 2) She stated the second waiver request pertains to the right-of-way connection for Lake Lincoln at Estes Road. She explained that, there is a 66-foot wide easement that is proposed to be dedicated to the City, the preferred alignment from Lake County Public Works shifts the improved right-of-way area to the south which will provide for a better intersection alignment with the current conditions; however, it creates a condition which prevents the developer from providing a five-foot sidewalk on both sides of the road. She stated there will be a sidewalk from Lake Lincoln to the west of the subdivision will be provided on the north side of the road. She added there will be connectivity across Estes Road up to the Oakmere Subdivision. She further stated that the City will be working with School Board to complete the gap between the Oakmere Subdivision and the Eustis Middle School. She indicated that Oakmere has also proposed right-of-way dedication along Bates Avenue to Lake County which should provide an opportunity in the future to adjust the intersection of the alignment. She stated that Lake County has approved the intersection alignment and requested the right-of-way from Oakmere.

Ms. Barnes then stated the third waiver is regarding the fencing around the retention pond. She explained the pond has been designed to be deeper to create the look of the amenity and is designed to be a dry pond so they have requested elimination of the fencing. She stated Public Works and the City Engineer have reviewed the request and have no objection. She indicated there is a requirement for a traffic guardrail but they are designing a guardrail that will meet the safety specifications but will blend with the design better than a typical guardrail.

Ms. Barnes then reviewed the greenway park space and the stormwater and grading plan and explained how any runoff will be handled. She summarized staff's review of the project noting the developer did hold a community meeting and invited all residents within 500 feet of the site. She noted some changes made to the plat based on input obtained at that meeting. She stated there are gopher tortoises on the site and the applicant will have to provide a Florida Fish and Wildlife permit prior to breaking ground. She stated staff's recommendation for approval noting the proposed density of 3.38 units per acre falls below the maximum and the subdivision plan meets or exceeds required design standards per the Land Development Regulations. The requested waivers have been adequately justified, and will not negatively affect the health, safety and welfare of the public.

Mr. Schroth opened the public hearing at 6:22 p.m. There being no public comment, the hearing was closed at 6:22 p.m.

The Commission expressed concern regarding the possibility of a large number of cars parking along the street particularly in front of the 35 foot lots and confirmed the Fire Department had no issue with the request.

Ms. Barnes indicated that the narrower lots will be deeper than the others and the homes will be set back further. She stated that the Fire Department did review the plat and had no comments.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Aliberti, to approve Resolution Number 20-56. Motion carried by the following votes:

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

6.2 Resolution Number 20-57: Tentative millage rate for FY 2020

Mr. Schroth announced Resolution Number 20-57: A Resolution by the City Commission of the City of Eustis, Lake County, Florida; adopting the tentative millage levy of ad valorem taxes for the City of Eustis, Lake County for Fiscal Year 2020-2021; providing for an effective date.

Mike Sheppard, Finance Director, explained the recommended tentative millage levy for Fiscal Year 2020-2021. He stated the roll-back rate is 7.2531 and the proposed millage rate of 7.5810 represents a 4.521% increase over the roll-back rate. He stated the anticipated revenue if the roll back rate were used would be $7,910,225 and would be $8,520,278 with the proposed rate. He indicated that, if the City adopted the roll-back rate, they would reduce revenues by $358,000 which would necessitate the use of Fund Balance to balance the budget. He then commented on the changes in taxable values over the years noting that the City is just now getting back to the same property values they had in 2008. He reviewed a ranking of the other cities in the County and their millage rates noting that Eustis is the third highest. He stated staff is not recommending increasing the millage rate but are proposing a millage rate of 7.5810 which is the same as the past seven years. He stated the millage rate and budget would be advertised on September 14th and the budget would be effective October 1st.

Mr. Sheppard then read from Resolution Number 20-57 stating the proposed millage rate is 7.581 which represents a 4.521 increase over the roll-back rate of 7.2531.

Mr. Schroth opened the public hearing at 6:33 p.m.

Daniel DiVenanzo expressed support for the proposed millage rate. He stated that the City is doing a lot more for its residents with less money.

There being no further public comment, the hearing was closed at 6:34 p.m.

Vice Mayor Lee confirmed that the City does not charge a fire assessment fee.

Ron Neibert, City Manager, noted that previously he did a cost of living comparison and found that it is cheaper for someone with a $100,000 house to live in the City than in many of the other cities. He also noted that Mount Dora and Leesburg are able to subsidize their General Fund with transfers from their Electric Fund. He indicated they have revenues available that Eustis does not.

The Commission asked to have additional information at the next hearing regarding the additional costs that other cities have that Eustis doesn't. They also asked how the County's roll-back rate will affect the City with Mr. Sheppard indicating it will reduce the tax rate for City residents for the County share of their property taxes.

Mr. Neibert noted that someone might still see an increase in their taxes depending on their valuation.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Aliberti, to approve Resolution Number 20-57 and set the tentative millage rate as 7.5810 mills. Motion carried by the following votes:

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

6.3 Resolution Number 20-58: Adopting a tentative budget for fiscal year

Mr. Schroth announced Resolution Number 20-58: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the tentative budget for Fiscal Year 2020-2021; providing for an effective date.

Mr. Sheppard provided an overview of the tentative budget for Fiscal Year 2020-2021 stating it is based on the 7.581 millage rate. He explained that the difference in ad valorem revenues between the proposed rate and the roll-back rate would be $358,000 which would put the City at a deficit and would require spending down the City's reserves. He stated this is the first required public hearing with the final hearing to be held September 17th. He stated the budget would take affect October 1st.

Mr. Sheppard then reviewed the significant factors that influenced the development of the budget as follows: 1) Ad valorem is based on millage of 7.5810; 2) Health and life insurance increased by 2% for a total increase of $50,000; 3) Police Pension reduced from 47.09% to 42.33% and resulted in a reduction of $118,000; 4) Fire Pension increased from 40.6% to 41.3% for an increase of $9,000; 5) COLA increase in salaries for a total of $231,000; and 6) Increase in General Liability, Workers Compensation and Property Insurance of 17.3% for a total of $240,000.

Mr. Sheppard then provided a budget overview of all funds resulting in an available Fund Balance of $45,913,410 and the General Fund with a Fund Balance of $3,709,019. He provided an overview of the General Fund from 2009 through 2021. He indicated that the Fund Balance could change due to losses from Covid 19. He provided an overview of the City's revenues, expenditures. and capital improvement plan. He then reviewed the future challenges as follows: 1) funding for police and fire pensions; 2) insurance costs; 3) maintaining competitive employee compensation; 4) aging infrastructure; 5) gas tax revenue formula favors population growth and expansion; and 6) results of Covid 19 on the economy with regards to consumer purchases and later on property values.

The Commission questioned the effect of reduction in payroll taxes with Mr. Sheppard explaining that what was proposed was only a deferral. He explained how it would work if someone opted into it. He stated the City of Eustis would not be participating.

Mr. Schroth opened the public hearing at 6:54 p.m. There being no public comment, the hearing was closed at 6:54 p.m.

Moved by Commissioner Aliberti, seconded by Vice Mayor Lee, to approve Resolution Number 20-58 adopting the tentative budget. Motion carried by the following votes:

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

7. OTHER BUSINESS

7.1 Consideration of Organization and Event Support Grants

Mr. Sheppard reviewed the organization and special event grant applications, explained staff's analysis of the applications and presented the recommendations for award in the 2020-2021 fiscal year. He explained there is a line item in the budget of $30,000 for the grants. He indicated there was one applicant that did not qualify due to using the funds for salaries and that is not allowed under the program specifications. He explained that the committee members reviewed the applications and ranked them. He reviewed the criteria and those items that are ineligible.

Mr. Sheppard then reviewed the list of applicants and explained how the committee evaluated the requests. He announced the recommendations for award as follows: Amazing Race for Charity - $6,500; Bay Street Players - $3,800; Eustis Historical Museum - $1,000; Lake County Fair - $5,000; LifeStream Behavioral Center - $5,000; LovExtensions - $1,000; Tedx Eustis - $1,200; Trout Lake Nature Center - $6,500 and We Care of Lake County - $0.00 due to use being ineligible.

Mr. Neibert explained that the Bay Street Players will be required to provide a schedule of shows in order to receive the funding. He also stated that the Museum will be told they have to open to the public at some time in order to receive their funds.

The Commission confirmed that the grantees are required to report on how many Eustis residents are served.

Mr. Sheppard indicated that, if approved, the grantees will be notified and awards will be provided after October 1st.

Moved by Vice Mayor Lee, seconded by Commissioner LeHeup-Smith, to approve the distribution of grant funds following approval of the final millage and budget and commencement of the new fiscal year. Motion carried by the following votes:

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

8. FUTURE AGENDA ITEMS

8.1 Commissioner Morin requested to have follow up reports on Bay State South and enforcement of the pooper scooper law.

Vice Mayor Lee requested a report from Lake Community Action Agency regarding the housing program.

Mr. Neibert indicated that he has not been able to reach them; however, his understanding is there has been no further progress. He stated they have completed one home and they have received one application. He explained that, right now, they can't send staff into people's homes to do inspections. He indicated that the funds have been carried over so it can be used as soon as they open up.

The Commission questioned the delay in moving forward and whether they are seeking applications with Mr. Neibert explaining it is not the notification of possible applicants that is the delay. He stated their concern is the risk to their inspectors of sending them into people's homes due to Covid 19.

9. COMMENTS

9.1 City Commission

Commissioner LeHeup-Smith noted that a resident had reached out to her regarding the possibility of keeping a miniature pig in their home. She thanked Lori Barnes and Mary Montez for their assistance. She stated the resident was informed of a way to do that by making an application for a conditional use permit and coming before the

Commission. She stated she referred him to Joanne Rittenhouse who works with therapy animals and who will try to help him identify a different type of therapy animal.

Vice Mayor Lee asked when the Senior breakfast would resume.

Mr. Neibert responded that Joe LaPolla spoke with leaders of group and they are not comfortable with meeting yet.

9.2 City Manager

Mr. Neibert reported that animal control issues are handled by Lake County Animal Control. He stated if there is an issue regarding the dumping of animal waste they can be reported to them and they have the authority to handle.

Commissioner Aliberti recommended they take a picture of the offender.

Mr. Neibert then reported that the loan closing for purchase of the Waterman properties would be the next day with the property closing the following week. He then announced that the state study on the Bay Street signalization and crosswalks is complete. He indicated they were received that day and they are beginning work on the plans. He added that Rick Gierok would be at the next meeting to report on the DOT projects.

Commissioner Morin emphasized the need to have a Commissioner attend the MPO meetings to advocate for the City. He asked what is the next step with Mr. Neibert stating the next step is construction design.

Mr. Neibert then stated that staff has completed the research on the Bay State South issue and would be presenting those findings at the next meeting. He then reported on the CARES funding and explained that Lake County was awarded $64 million to be distributed through FEMA and has earmarked their first $16 million for business and residential assistance. The other $48 million will be divided up with $10 million allocated to the cities to cover Covid related costs and future pandemic improvements, programs and/or equipment. He stated the City of Eustis was allocated $1 million. Staff has been working on recommended spending based on the required criteria; however, at this time the City does not have sufficient needs to reach $1 million. Lake County is requiring they present a spending plan by September 18th. He indicated he will distribute a spending plan to the Commission in the next few days with a review of it at the September 17th meeting so it can go to the County on the 18th. He indicated the funds have to be expended by December 1st. He stated most of it will cover costs for employee salaries due to Covid 19 leave. He indicated any costs have to occur between March 1st and December 1st. He commented on the cost for hazardous duty pay. He indicated the City is mostly looking at costs such as 90 laptops and printers so employees can work from home, improved WIFI and installation of barriers. He noted one City is looking at bill paying kiosks to reduce exposure to employees. He stated there is a new style of breathing apparatus used by fire departments that provides better protection against biohazards. He stated staff is purchasing hand washing stations and cited the possibility of purchasing additional electronic message boards noting there is one that can take a person's temperature. He explained the City has to upfront the money and expend it by December 1st. He expressed concern regarding actual receipt of the funds since the program is being administered by FEMA and the City has experienced problems in the past in receiving hurricane funds.

Commissioner Aliberti suggested that staff look into purchasing an emergency broadcast system.

Mr. Neibert stated he was more comfortable with spending about $500,000 and then asking the County to put the City's remaining funds into the resident assistance program.

Mr. Neibert then noted that staff sent out a list of the events planned for the remainder of the calendar year and asked the Commissioners to send him their thoughts. He stated staff is recommending moving forward with the modified First Friday live events.

Following further discussion, it was a consensus of the Commission for staff to proceed with the events as proposed.

Mr. Neibert then announced that the Commissioners would be receiving documents from Human Resources to conduct the annual City Manager evaluation.

Vice Mayor Lee noted comments she received from a resident complimenting Tom Carrino and the Mayor regarding their treatment of them.

9.3 City Attorney - None

9.4 Mayor

Mayor Holland thanked the audience for attending and closed the meeting citing a quote from Maya Angelou: "I've learned that people will forget what you said. People will forget what you did but people will never forget how you make them feel."

10. ADJOURNMENT: 7:32 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