MINUTES

APPROVED: 3/19/2020

Regular City Commission Meeting

6:00 PM - Thursday, February 20, 2020 - City Hall

INVOCATION: MARTHA HARRISON MONROE

PLEDGE OF ALLEGIANCE: COMMISSIONER ALIBERTI

CALL TO ORDER: 6:14 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Marie Aliberti, Vice Mayor Emily Lee, Commissioner Karen LeHeup-Smith, Commissioner Robert Morin (arrived 7:47 p.m.), and Mayor Michael Holland

1. AGENDA UPDATE: NONE

2. PRESENTATIONS

2.1 Recognition of individuals who provided assistance to Captain Gary Winheim following December 19, 2019, shooting incident

Police Chief Gary Calhoun read a narrative regarding the incident involving the shooting of Capt. Gary Winheim. He stated that the First Baptist Church of Umatilla opened its doors and assisted in feeding and sheltering the hundreds of police officers who responded to the incident. He presented a letter of thanks to Pastor Brooks Braswell on behalf of the church members.

Chief Calhoun then presented the Samaritan Award to Tonia Britt who provided assistance to Capt. Winheim immediately following the shooting and helped stop the bleeding.

Chief Calhoun then recognized Jack King for his efforts to follow the perpetrator following the shooting despite also being shot at. He stated that without Mr. King's efforts it would have taken much longer to apprehend the perpetrator and more individuals might have been injured. He presented the Citizen Award of Valor to Mr. King's brother Tim King on his behalf.

Chief Calhoun then reviewed Capt. Winheim's actions during the incident and his efforts to communicate the situation to the police department. He commended Capt. Winheim for his efforts and presented to him the Medal of Gallantry. Capt. Winheim's wife Stefanie affixed the medal to his uniform.

Capt. Winheim thanked Tonia Britt, Jack King and all of the others for their assistance stating they went above and beyond.

3. AUDIENCE TO BE HEARD

Mayor Holland asked Events Coordinator Erin Bailey to provide an update on Georgefest.

Ms. Bailey announced that the carnival had opened with the official opening of the festival to be on Friday. She stated the fireworks would be Friday night with the parade on Saturday at 10 a.m. She cited the pancake breakfast on Sunday and the Blood, Sweat and Tears concert. She thanked all of the City departments for their assistance.

David Sirdar addressed the Commission regarding the recognition of the citizens and Capt. Winheim and noted the Georgefest and the event to be held Friday in Tavares. He commented on his activities in the community and the impact events have on the youth.

Gail Isaac Thomas and Darius Kerrison announced the next Comedy Show on February 29th and thanked everyone for their attendance at the previous show. She asked about the new plaque for Carver Park with Mayor Holland stating the new plaque had just been delivered. She then asked the City to consider installing a scoreboard at Corey Rolle Field and stated they are fielding a football team.

Martha Monroe thanked the residents and Commissioners for their attendance at the Black Heritage Festival and Black Achievement Dinner. She commented on her military service and how she didn't used to appreciate Eustis but now considers it home for her and her family.

Mayor Holland thanked Ms. Monroe for her positive comments at the dinner about the community with Vice Mayor Lee concurring.

Ms. Monroe informed the Commission that the sidewalks in the Bates Avenue area are very broken up and need to be repaired.

Pebbles Brooks announced the re-opening of her business Infinite Nutrition and thanked the Mayor for introducing her to Daniel DiVenanzo and cited his assistance in getting her business re-opened. Some of her customers cited her help in getting healthy and being more open to others.

4. CONSENT AGENDA

4.1 Resolution Number 20-17: Release of Lien with Conditions, 1105 East McDonald Avenue, Code Enforcement Case 02-293 and 06-030

4.2 Resolution Number 20-19: Purchase and sale agreement between the City of Eustis and George Asbate

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

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

5. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

5.1 Resolution Number 20-16: Variance for Fence with Barbed Wire - Lot 5, Cobb Commerce Park

Mayor Holland explained to the audience that, due to the absence of Commissioner Morin, if it appears an item may have a split vote a straw poll would be conducted and if a vote would result in a 2 to 2 vote, then it will be postponed to the next meeting so that a full Commission can vote on the issue. He further explained that in the City a 2 to 2 vote would result in an item failing and it could not be brought back for nine months.

Derek Schroth, City Attorney, announced Resolution Number 20-16: A Resolution of the City Commission of the City of Eustis, Florida; granting approval for a variance to the City of Eustis Land Development Regulations Section 100-1 and 110-5.1, allowing an accessory structure (existing 6-foot fence) to remain without a principal structure onsite, and a variance to Section 110-5.7(H) to allow three strands of barbed wire atop the fence in a mixed commercial/industrial land use district on the vacant Lot 5, Cobb Commerce Park Subdivision.

Lori Barnes, Development Services Director, explained that City staff observed in May 2019 that a fence had been erected on the vacant site without a permit and vehicles were being stored on the property without a site plan. She reviewed the history of the violation, site plan application, comments by the Development Review Committee and reopening of the violation. She stated that in January the City received the fence permit application which included barbed wire on the top of the fence which is not allowed except in agricultural and conservation districts.

Ms. Barnes then explained the after-the-fact variance application for a variance to allow a six-foot fence to remain on the property without a primary structure and to allow the three-strands of barbed wire to remain atop the fence. She reviewed the applicant's justification as follows: 1) security for a future build; 2) wanting to match surrounding properties; 3) financial hardship and financial loss in the future; and 4) the area is dark and, in the future, tools and vehicles will be held there. She explained the location of the site in the Cobb Commerce Park and presented a map and photographs showing the location of the fence and a landscape hedge.

Ms. Barnes then explained staff's analysis of the variance request stating that two variances are actually needed: 1) for the barbed wire; and 2) for the fence itself since it is an accessory structure without a primary structure. She stated that financial loss cannot be considered in approval for a variance. She further stated that the applicant could proceed with the site plan application and request a waiver for the barbed wire which has less strict regulations for approval. She expressed concern regarding setting a precedent for future developments. She cited the issues the Commission must consider in order to approve the variance. She then cited methods that the applicant could use to secure the site without using the barbed wire fencing. She stated staff's recommendation for denial and added that staff could support approval with the requirement that the barbed wire is removed.

The Commission confirmed that the fence was installed with no permitting or site plan and then vehicles were moved onto the site. They questioned what else is on the site with Ms. Barnes responding that a landscape hedge was also planted and some irrigation. She confirmed that the site plan application was withdrawn. She explained the discussion staff had with the applicant regarding their options for moving forward.

The Commission asked if the the applicant could have applied for the waiver after the fact with Ms. Barnes explaining they could have proceeded with the site plan approval process and included the waiver request as part of that process. She indicated staff still would not have recommended approval of the barbed wire but the Commission would have had the latitude to consider it.

The Commission discussed the following: 1) the adjoining property having barbed wire; 2) the desire of the Commission to relocate the subject business to outside of the downtown corridor; 3) the possibility of setting a precedent if the request is approved; and 4) why Cobb Tractor was allowed to have barbed wire.

Ms. Barnes explained the Cobb Tractor fencing is a pre-existing nonconforming use. She indicated it can remain until it is damaged or destroyed. The City can't make them remove it but if it were destroyed in a storm it could not be replaced.

Mr. Schroth opened the public hearing at 7:08 p.m.

The following individuals spoke in support of the requested variances: 1) Jerry Cobb; 2) Nan Cobb; and 3) Mr. Trask.

There being no further public comment, Mr. Schroth closed the public hearing at 7:14 p.m.

Mr. Schroth conducted a straw poll on the resolution with the following comments: 1) legality of the application; 2) whether or not there will eventually be a building on the site; 3) the possibility of waiving the fees for the applicant to go through the site plan process and request a waiver and an extension with the fencing to remain in the interim; 4) why the site plan application was withdrawn; and 5) the need for security to protect the stored cars.

Moved by Commissioner LeHeup-Smith, seconded by Vice Mayor Lee, to approve Resolution Number 20-16. Motion carried by the following votes:

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

Nays: Commissioner Aliberti

5.2 <u>Resolution Number 20-18: Agreement for sale and purchase of property between City of Eustis and SpenceTF LLC</u>

Mr. Schroth announced Resolution Number 20-18: A Resolution of the City Commission of the City of Eustis, Lake County, Florida, approving and ratifying an agreement for sale and purchase of property between the City of Eustis and SpenceTF,LLC.

Tom Carrino, Economic Development Director, explained staff has worked with the purchasers on the exact language of the sales agreement. He stated some language was added to protect the City. He reviewed the stipulations as follows: 1) Purchase price of $125,000; 2) 365 day inspection period secured by a $1,000 deposit which is refundable if the purchaser does not move forward; 3) Defines the property as a five-screen drive-in movie theater; and 4) a deed restriction that requires construction of the 5-screen movie theater. He added that the deed restrictions could be removed if the purchaser either constructs the five-screen drive-in theater or pays the City the difference between the purchase price and the Property Appraiser's market value on the property. The agreement also requires that the project must move forward and obtain a Certificate of Occupancy (CO) within 24 months or the City has the option to purchase the property back for $125,000 or the purchaser can pay the difference between $125,000 and $460,000.

The Commission asked if the City could have the first right to purchase the property back with Mr. Carrino explaining that, if the CO is not received within 24 months, the sale would be rescinded and the City would buy back the property for $125,000.

The Commission asked if the City has considered putting the property on the market to see if others want to purchase with Mr. Carrino indicating the property has been on the market with signage on the property; however, it has not been actively promoted. He explained that he was told that the City was interested in a project that would generate economic activity. He indicated that individuals have expressed interest in purchasing the property for hunting without development which was not what was desired.

Ron Neibert, City Manager, stated staff has discussed incentivizing the property such as in terms of job creation. He noted that the City had offered to sell ten acres to Steamroller Studios but would waive the principal and interest if they built their tech campus on the site.

The Commission expressed concern regarding the low sales price and the need to insure they build what they presented with Mr. Carrino indicating that the City Attorney worked to incorporate language to protect City.

Mr. Schroth opened the public hearing at 7:29 p.m.

Spencer Follmar stated his hope that the restrictions in the agreement would give the Commission peace of mind about his intent to build the theater as presented.

Eileen Tramontana, Executive Director of Trout Lake Nature Center, urged the Commission to look at doing low impact development. She recommended a large buffer zone noting the amount of wildlife that passes through that corridor. She cited the amount of water that is retained on the property and expressed concern regarding how that would be addressed. She noted an issue that will arise with the mosquitoes in that area and expressed concern about the effect on the wildlife from light pollution.

Gail Isaac Thomas expressed concern about the traffic flow and noted there are no traffic signals in that area.

Keith Ware stated he had spoken with the City regarding the property. He questioned how much revenue the project would generate for the City and asked if it is an actual sale or a lease.

Mr. Neibert responded that the anticipated revenue will be $11,000 to $12,000 per year. He stated it would be a straight sale with property to be deeded over to Mr. Follmar's company.

Mr. Ware asked if the City is willing to consider other projects for the property.

Mr. Neibert explained the proposal is just for the sale of the land. He stated that Mr. Follmar has a 24 month due diligence period during which he will evaluate the project and he will have to submit a site plan to the City. He stated the issue tonight is whether or not to allow Mr. Follmar an option to purchase the property.

Mr. Ware asked if the City is open to considering other options. He also asked if the City would be willing to change the property to residential from the current MCI with Mr. Neibert indicating that the Commission has a specific request in front of them so it would depend on the action taken on that request.

Mr. Schroth closed the hearing at 7:38 p.m. He then conducted the straw poll which resulted in three "nays" and one "aye".

MOTION:
Commissioner LeHeup-Smith moved to approve Resolution Number 20-18. The motion died for lack of a second.

Mr. Follmar asked the Commission to continue the decision until there is a full Commission.

Mr. Schroth reopened the public hearing at 7:46 p.m. to discuss the request for postponement.

George Asbate noted the large number of factors affecting the project. He asked for the opportunity to provide additional information to explain the complexity of the project. He explained he is the liaison between the Chamber and the City and that he has been introducing Mr. Follmar to people in the City.

Commissioner Morin joined the meeting at 7:47 p.m.

Mr. Schroth confirmed Mr. Follmar still wanted a continuance since his previous reason had been cured with the arrival of Commissioner Morin.

Mr. Follmar stated this would be a $7 million project with $1 million earmarked for publicity. He indicated he had been looking for property for a year and asked to have the opportunity to provide additional information at the next meeting.

The Commission confirmed that if someone came in and made an offer the City could consider it.

The Commission discussed the following: 1) what the revenue to the City would be from taxes if the property were developed as residential; 2) the low price offered; 3) whether a drive-in theater would succeed; 4) allowing the applicant to provide additional information; and 5) the due diligence that would be required by the applicant to determine if the property is buildable.

Mr. Asbate suggested that the applicant meet with the Commissioners individually to provide additional information.

Moved by Commissioner LeHeup-Smith, seconded by Commissioner Aliberti, to postpone Resolution Number 20-18 to the first meeting in March. Motion carried by the following votes:

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

Nays: Mayor Holland

5.3 Ordinance Number 19-32: Voluntary Annexation of property located at 2303 E. Orange Avenue
Ordinance Number 19-33: Comprehensive Plan amendment assigning Future Land Use designation to property located at 2303 E. Orange Avenue
Ordinance Number 19-34: Assigning Design District designation to property located at 2303 E. Orange Avenue

Mr. Schroth read Ordinance Number 19-32 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida; voluntarily annexing approximately 13.82 acres of real property located at 2303 E. Orange Avenue.

Mr. Schroth opened the public hearing at 7:59 p.m. There being no public comment, the hearing was closed at 7:59 p.m.

Moved by Commissioner Aliberti, seconded by Commissioner Morin, to adopt Ordinance Number 19-32 on second reading. Motion carried by the following votes:

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

5.4 Mr. Schroth read Ordinance Number 19-33 by title on second and final 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 13.82 acres of recently annexed real property located on 2303 East Orange Avenue from Urban Medium in Lake County to Residential Office Transitional (RT) in the City of Eustis.

Mr. Schroth opened the public hearing at 8:00 p.m. There being no public comment, the hearing was closed at 8:00 p.m.

Moved by Commissioner Morin, seconded by Commissioner Aliberti, to adopt Ordinance Number 19-33 on second reading. Motion carried by the following votes:

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

5.5 Mr. Schroth read Ordinance Number 19-34 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Corridor design district designation to approximately 13.82 acres of recently annexed real property located at 2303 East Orange Avenue.

Mr. Schroth opened the public hearing at 8:00 p.m. There being no public comment, the hearing was closed at 8:00 p.m.

Moved by Commissioner Morin, seconded by Vice Mayor Lee, to adopt Ordinance Number 19-34 on second reading. Motion carried by the following votes:

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

5.6 Ordinance Number 20-06: Voluntary Annexation of property located at 19516 State Road 44
Ordinance Number 20-07: Comprehensive Plan Amendment for 19516 State Road 44
Ordinance Number 20-08: Design District Assignment for 19516 State Road 44

Mr. Schroth read Ordinance Number 20-06 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida; voluntarily annexing approximately 0.83 acres of real property located at 19516 SR 44.

Mr. Schroth opened the public hearing at 8:01 p.m. There being no public comment, the hearing was closed at 8:01 p.m.

Moved by Commissioner Morin, seconded by Commissioner Aliberti, to adopt Ordinance Number 20-06 on second reading. Motion carried by the following votes:

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

5.7 Mr. Schroth read Ordinance Number 20-07 by title on second and final 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 0.83 +/- acres of recently annexed real property located on 19516 SR 44, as more particularly described herein, from Urban Low in Lake County to Mixed Commercial Residential (MCR) in the City of Eustis.

Mr. Schroth opened the public hearing at 8:02 p.m. There being no public comment, the hearing was closed at 8:02 p.m.

Moved by Commissioner Aliberti, seconded by Vice Mayor Lee, to adopt Ordinance Number 20-07 on second reading. Motion carried by the following votes:

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

5.8 Mr. Schroth read Ordinance Number 20-08 by title on second and final reading. An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Corridor design district designation to approximately 0.83 acres of recently annexed real property located at 19516 SR 44.

Mr. Schroth opened the public hearing at 8:03 p.m. There being no public comment, the hearing was closed at 8:03 p.m.

Moved by Vice Mayor Lee, seconded by Commissioner Aliberti, to adopt Ordinance Number 20-08 on second reading. Motion carried by the following votes:

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

5.9 Ordinance Number 20-09: Voluntary annexing 13.95 acres located at Bates Avenue and Estes Road
Ordinance Number 20-10: Future land use map amendment to Comprehensive Plan for property located at Bates and Estes
Ordinance Number 20-11: Design District Assignment for property located at Bates and Estes

Mr. Schroth read Ordinance Number 20-09 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; voluntarily annexing approximately 13.95 acres of real property located at the northwest corner of Bates Avenue and Estes Road.

Roland Magyar, Senior Planner, explained the annexation request is for 13.95 acres located at Bates Avenue and Estes Road. He stated the future land use designation is requested to go from Rural Transition in Lake County to Suburban Residential in the City with a design district designation of Suburban Neighborhood. He reviewed the evaluation of the request and compared the County land use with the City's land use. He stated the request is consistent with the surrounding future land use designations. He confirmed the site is in the Wekiva study area and will require environmental and other studies. He stated staff's recommendation for approval.

The Commission confirmed that the designation allows up to five dwelling units per acre; however, they will not be able to obtain five units per acre due to open space regulations and other requirements with Mr. Magyar indicating that is a theoretical maximum. He explained other issues that reduce the buildable area. He stated that the school concurrency plan submittal indicates a request for 49 units that could result in 3 to 3.5 units per acre. He indicated they have not submitted any site plan to the City.

The Commission expressed concern regarding the possible impact on Blue Lake which is already experiencing flooding and the effect on traffic.

Mr. Magyar provided information regarding how rainwater drains and provided a map of the drainage basin boundaries within that area. He stated the runoff from this property will drain into the ground and toward basin #43 which is Lake Swatara. He stated any stormwater treatment will be at the bottom of the hill, not the top, and will drain toward Lake Swatara, not Blue Lake.

Mr. Neibert explained that staff has been meeting with St. John's and the residents to try and assist them with their issue.

Mr. Schroth opened the public hearing at 8:15 p.m.

The following individuals addressed the Commission and expressed concern regarding the drainage as well as the effect on wildlife: 1) Cliff Jenny and 2) Harold Woodall.

Tim Green, Green Consulting Group, stated he was representing the applicant and acknowledged the drainage concerns. He indicated that Eustis has the most strict regulations regarding handling of recharge in the County. He confirmed that the runoff from the property would flow to the north, and possibly to the east, but would not flow to Blue Lake. He indicated due to the proximity to City water and sewer, the County would be insisting that they come to the City.

The following individuals expressed opposition to the development or expressed concern regarding density and other issues: 1) Nola Wilski; 2) John Duffy; 3) Egor Emery; 4) Catherine Gonzalez; and 5) Carol King

There being no further public comment, Mr. Schroth closed the public hearing at 8:36 p.m.

The Commission explained that annexation does not guarantee what will be developed on the property and that the development plans would be submitted later. It was stated that they would rather the City have control over the property so it can consider those concerns when it is developed.

Moved by Commissioner Aliberti, seconded by Commissioner Morin, to approve Ordinance Number 20-09 on first reading. Motion carried by the following votes:

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

5.10 Mr. Schroth read Ordinance Number 20-10 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 13.95 acres of recently annexed real property located on the northwest corner of Bates Avenue and Estes Road from Rural Transitional in Lake County to Suburban Residential (SR) in the City of Eustis.

Mr. Schroth opened the public hearing at 8:28 p.m. There being no public comment, the hearing was closed at 8:28 p.m.

Moved by Commissioner Aliberti, seconded by Commissioner LeHeup-Smith, to approve Ordinance Number 20-10 on first reading. Motion carried by the following votes:

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

5.11 Mr. Schroth read Ordinance Number 20-11 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 13.95 acres of recently annexed real property located at the northwest corner of Bates Avenue and Estes Road.

Mr. Schroth opened the public hearing at 8:40 p.m. There being no public comment, the hearing was closed at 8:40 p.m.

Moved by Commissioner Aliberti, seconded by Vice Mayor Lee, to approve Ordinance Number 20-11 on first reading. Motion carried by the following votes:

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

5.12 Ordinance Number 20-12: Amending Chapter 2, Article VI - Procurement Procedures

Mr. Schroth read Ordinance Number 20-12 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; deleting and replacing, in its entirety, Chapter 2, Article VI, Division 2 Procurement Procedures of the Code of Ordinances for the City of Eustis repealing any and all conflicting ordinances; providing for severability; codification; an effective date; and publication according to law.

Mike Sheppard, Finance Director, explained the purpose of the ordinance to change the City Manager approval level back to $50,000. He stated that all of the items that have been brought to the Commission were already approved as part of the budget. He added that other routine operating expenses have been added to the exemptions.

Mr. Schroth opened the public hearing at 8:42 p.m. There being no public comment, the hearing was closed at 8:42 p.m.

Moved by Commissioner Morin, seconded by Commissioner Aliberti, to approve Ordinance Number 20-12 on first reading. Motion carried by the following votes:

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

6. OTHER BUSINESS

6.1 Consideration of Established Policy Regarding Annexation and Outside Utility Agreements

Jimmy Crawford addressed the Commission regarding the City's policy regarding annexation and outside utility agreements. He commented on how much the City's meetings are more community meetings. He stated he represents Sorrento Pines LLC. He explained that the property is four miles from City limits with a large number of properties in between that would make the likelihood of contiguous annexation not likely. He explained the County Commission's concerns regarding a requirement for annexation. He indicated that it would only be annexable under an ISBA. He asked the Commission to consider eliminating the requirement for annexation from the utility agreement.

CONSENSUS: It was a consensus of the Commission to not waive the annexation requirement from the utility agreement.

7. FUTURE AGENDA ITEMS: NONE

8. COMMENTS

8.1 City Commission

Commissioner Morin noted he listened to as much of the meeting as he could on his way back from his other meeting.

Vice Mayor Lee announced she had pre-qualified for her seat. She reported on her attendance at a meeting at the Governor's Mansion in Tallahassee involving her seat on the Lake Sumter Board of Trustees.

8.2 City Manager

Mr. Neibert announced at the next meeting the Commission would be presented a resolution removing the referendum from the ballot although it will still appear on the ballot. He explained it is necessitated due to missing an advertising deadline. He further explained the referendum would appear on the August primary ballot.

Commissioner Aliberti commented on the Groveland Four memorial event in Tavares on Friday.

Vice Mayor Lee commented on the Black Heritage Festival and the Black Achievers banquet.

Commissioner Morin noted his attendance at a We Care dinner.

8.3 City Attorney - None

8.4 Mayor

Mayor Holland reported on an email received from residents adjacent to the Senior Center and complaints about excessive noise. He stated that he and the City Manager went to the Center the past weekend to hear the noise. He asked to have a moratorium on amplified music at that facility from 7 p.m. to morning.

Discussion was held regarding banning amplified systems completely.

CONSENSUS: It was a consensus of the Commission to ban amplified systems from the center completely.

Mayor Holland thanked everyone for their attendance and cited the various Georgefest events.

9. ADJOURNMENT: 8:56 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