



MINUTES

APPROVED: 1/2/2020

Regular City Commission Meeting

6:00 PM - Thursday, December 19, 2019 - City Hall

INVOCATION: REV. ELIJAH PERRY, CHURCH OF GOD BY FAITH

PLEDGE OF ALLEGIANCE: COMMISSIONER MORIN

CALL TO ORDER: 5:30 p.m.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

1. AGENDA UPDATE

2. APPROVAL OF MINUTES

- 2.1 November 21, 2019 - Regular City Commission Meeting
November 26, 2019 - City Commission Workshop

Moved by Commissioner Morin, seconded by Commissioner Lee, to approve the Minutes as submitted. Motion carried by the following votes:

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

3. AUDIENCE TO BE HEARD

Hurlis Jack Evans addressed the Commission regarding a lien against his mother's property. He explained the lien was placed in 2010 and his mother passed in 2011. He asked if the City could lift the lien for six months so he can do something with the property. He explained he just got access to the property in August and in November he received a summons saying he had only 20 days to respond. He asked for a six month extension.

Derek Schroth, City Attorney, explained there are code enforcement liens against the property he indicated that the Commission has discretion and could reduce the lien once the property is brought into compliance.

Ron Neibert, City Manager, stated that the City could suspend the foreclosure; however, the lien could not be released at that time.

Mr. Schroth advised Mr. Evans would have to clean up the property and then request a reduction of the lien.

CONSENSUS: It was a consensus of the Commission to allow three months from first of year for him to clean up the property and then he can request a lien reduction to allow him to sell the property.

Lori Barnes, Development Services Director, reported that the property in question is located at 819 E. Gottsche Ave. and is vacant property that is overgrown with dead trees that require removal.

4. CONSENT AGENDA

- 4.1** Resolution Number 19-111: Purchase in excess of \$25,000 for materials for reclaimed water main extension project
- 4.2** Resolution Number 19-112: Property donation (Vaughn) and designation of property as public right-of-way
- 4.3** Resolution Number 19-113: Release of Lien - 527 Hill Street
- 4.4** Resolution Number 19-114: Release of Lien - 3010 Brighton Road
- 4.5** Resolution Number 19-115: Release of Lien - 1202 South Dewey Street
- 4.6** Resolution Number 19-116: Approval of purchase in excess of \$25,000 for rental of a concrete crushing machine

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

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

5. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

- 5.1** Ordinance Number 19-35: Voluntary Annexation of property located on northwest corner of Washington Avenue and Ohio Street

Derek Schroth, City Attorney, read Ordinance Number 19-35 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida; voluntarily annexing approximately 0.30 acres of real property located at: the northwest corner of Washington Avenue and Ohio Street.

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

Moved by Commissioner Morin, seconded by Commissioner Lee, to adopt Ordinance Number 19-35 on second and final reading. Motion carried by the following votes:

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

- 5.2** Ordinance Number 19-36: Comprehensive Plan amendment assigning Future Land Use designation

Mr. Schroth read Ordinance Number 19-36 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 0.3 acres of recently annexed real property located on the northwest corner of Washington Avenue and Ohio Street, as more particularly described herein, from Urban Medium in Lake County to Suburban Residential (SR), in the City of Eustis.

Mr. Schroth opened the public hearing at 6:35 p.m. There being no public comment, the hearing was closed at 6:35 p.m.

Moved by Commissioner Morin, seconded by Commissioner Lee, to adopt Ordinance Number 19-36 on second and final reading. Motion carried by the following votes:

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

5.3 Ordinance Number 19-37: Assigning Design District designation

Mr. Schroth read Ordinance Number 19-37 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood Design District Designation to approximately 0.3 acres of recently annexed real property located at the northwest corner of Washington Avenue and Ohio Street.

Mr. Schroth opened the public hearing at 6:36 p.m. There being no public comment, the hearing was closed at 6:36 p.m.

Moved by Commissioner Lee, seconded by Commissioner Aliberti, to adopt Ordinance Number 19-37 on second and final reading. Motion carried by the following votes:

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

6. OTHER BUSINESS

6.1 Appointment of Acting City Manager: Bill Howe

Mr. Neibert explained he will be on vacation from Friday, December 20th through Friday, December 27th. He explained there are some things that will require action in his absence. He recommended appointing Bill Howe as the Acting City Manager during his absence.

CONSENSUS: It was the consensus of the Commission for Bill Howe to be appointed Acting City Manager during the City Manager's vacation.

7. FUTURE AGENDA ITEMS

Commissioner Morin indicated he would report on the Education Concurrency meeting at the January 2nd meeting.

8. COMMENTS

8.1 City Commission

Commissioner Lee reported on her attendance at the Senior Breakfast.

Commissioner Aliberti noted she had just returned from a trip to Ireland and England and cited pictures she took of their storefronts to consider for the downtown area.

Commissioner Morin reported he spoke with the City Attorney regarding an issue that has occurred in his neighborhood with a property owner who has allowed liens to accrue on their property. He stated his desire to try and get an extension for the property owner for 30 to 60 days to try and help them to resolve their issues.

The Commission discussed whether or not the property owner intends to sell the property or abate the code violations with Mr. Neibert indicating that, if she has a buyer and the buyer would commit to bringing the property up to code, then the City could release the lien with the stipulation that they bring it up to code.

The Commission discussed having Commissioner Morin, the City Manager and Code Enforcement speak with her to see what her options are.

Mr. Schroth indicated he has been given direction to foreclose on the property and would, therefore, need direction from the Commission to not proceed with the foreclosure.

Ms. Barnes indicated that the property in question, located at 1215 S. Center St., has a long history of violations. She stated she wanted the Commission to be aware that there are other residents in the area that have complained and frequently call the City to find out the status of the property.

CONSENSUS: It was a consensus of the Commission for the City Attorney to postpone foreclosure until the end of February.

Mr. Neibert outlined the possibilities for the property owner as follows: 1) Find a buyer that would commit to make improvements within a certain amount of time in exchange for the release or reduction of the liens; or 2) Not challenge the foreclosure and quit claim the property to the City. He suggested scheduling a meeting with the property owner for after his return.

Vice Mayor LeHeup-Smith stated the December 18th workshop was fairly good and complimented the City on the dog park opening. She stated that Capt. Gary Winheim is in their thoughts and prayers. She cited the number of law enforcement officers working the situation.

8.2 City Manager

Mr. Neibert reported on an issue with the parking lot purchased at auction. He stated that the Commission approved for the City to place a deed restriction on the property for use as a parking lot for ten years. He stated that deed restriction would be on the next agenda. He asked for a consensus of either ten or twenty years.

The Commission discussed what the property could be used for if not for parking, the purpose of the deed restriction and why it is needed with Mr. Neibert stating he did not see the City using the property for anything other than parking and cited the possibility of using the property for a multi-level parking facility.

George Asbate noted he owns property in that area and recommended extending the deed restriction to 20 years due to the possibility of a shorter term inhibiting development.

CONSENSUS: Following further discussion, it was a consensus of the Commission to have the deed restriction set for 20 years.

Discussion was held regarding the issue of big rigs parking in the downtown parking lot with Mr. Schroth stating they can restrict the parking.

Mr. Neibert suggested the Commission direct staff to draft an ordinance restricting parking to vehicles under a certain length.

8.3 City Attorney

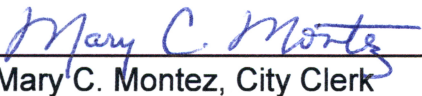
Mr. Schroth stated he had to prepare an agreement regarding 911 dispatch and he would email it to the Commissioners for their comments.

8.4 Mayor

Mayor Holland reported on the condition of Capt. Gary Winheim who was shot that day. He indicated he is in good condition and in good spirits. He then reported that law enforcement has taken the shooter into custody. He commented on the dog park opening and invited the public to the dedication of the Carver Park field in memory of Corey Rolle. He expressed support for everyone working together and wished everyone a Merry Christmas.

9. ADJOURNMENT

**These minutes reflect the actions taken and portions of the discussion during the meeting. To review the entire discussion concerning any agenda item, go to www.eustis.org and click on the video for the meeting in question. A DVD of the entire meeting or CD of the entire audio recording or verbatim transcript of the meeting can be obtained from the office of the City Clerk for a fee.*



Mary C. Montez, City Clerk



Mayor/Commissioner