MINUTES

APPROVED: 12/5/2019

Regular City Commission Meeting

6:00 PM - Thursday, November 7, 2019 - City Hall

INVOCATION: REV. DANN RAGAN, LIFEPOINTE CHURCH

PLEDGE OF ALLEGIANCE: COMMISSIONER ALIBERTI

CALL TO ORDER: 6:18 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 September 12, 2019 - Regular City Commission Meeting
September 19, 2019 - Regular City Commission Meeting
October 3, 2019 - Regular City Commission Meeting
October 17, 2019 - Regular City Commission Meeting

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

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

3. PRESENTATIONS

3.1 Certificate of Recognition to Robert and Catherine Jones in honor of their property, located at 310 East Orange Avenue, being named to the National Register of Historic Places

Mayor Holland presented a Certificate of Recognition to Robert and Catherine Jones in honor of their property, located at 310 E. Orange Ave., being named to the National Register of Historic Places.

3.2 Presentation of Certificate of Completion of the 2019 Institute for Elected Municipal Officials - Emily Lee

Mayor Holland presented a Certificate of Completion to Commissioner Emily Lee in recognition of her successful completion of the 2019 Institute for Elected Municipal Officials.

Commissioner Lee explained for the audience what the institute entailed and the benefits of the program. She commented on the importance of home rule and the need to inform the residents about it.

Mayor Holland explained that home rule means not letting other government agencies make decisions for the local municipality. He stated that eventually the City will hold some workshops to help educate the public regarding the importance of home rule.

4. APPOINTMENTS

4.1 Appointment to Lake County Arts and Cultural Alliance - Jackii Molsick

Jackii Molsick commented on her previous appointment to the Alliance and stated she would be presenting a formal report on their activities in January. She expressed her desire to be reappointed.

Moved by Commissioner Morin, seconded by Commissioner Lee, to approve the reappointment of Jackii Molsick to the Lake County Arts and Cultural Alliance. Motion carried by the following votes:

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

5. AUDIENCE TO BE HEARD

Barbara Young addressed the Commission regarding the need for speed bumps on Abrams due to the number of traffic accidents and inattention to the speed limit.

Mayor Holland indicated that Capt. Winheim from the EPD would look into that and contact her.

David Serdar complimented the Commission on the VetFest. He addressed the Commission regarding the need to ban plastic straws and cited other cities that have indicated interest in doing so. He also commented on the need to ban plastic bags and styrofoam.

6. CONSENT AGENDA

6.1 Resolution Number 19-98: Approval of purchase in excess of $25,000 for Police Department patrol laptops

6.2 Resolution Number 19-99: Approval of purchase in excess of $25,000 for Customer Service postage costs

6.3 Resolution Number 19-100: Extension of Time for Prime Plumbing Development Plan Approval

6.4 Resolution Number 19-101: Purchase in excess of $25,000 for two new pumps for Lift Stations 9 and 17

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

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

7. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

7.1 Resolution Number 19-102: Calling a bond referendum of the qualified electors of the City for the issuance of general obligation debt in an amount not to exceed of $11,400,000 for the construction of a community/conference/sailing center and expansion of the Carver Park recreation center

Derek Schroth, City Attorney, announced Resolution Number 19-102: A Resolution of the City Commission of the City of Eustis, Lake County, Florida; calling a bond referendum of the qualified electors of the city for the issuance of general obligation debt as described herein; approving inclusion of the question of whether the City of Eustis shall issue debt not exceeding in principal $11,400,000 at an interest rate not exceeding the legal maximum and maturing in 20 years or less to finance the construction of a community/ conference/sailing center and the expansion of a recreational center, by levying ad valorem taxes in an amount sufficient to repay such debt, on the ballot of the presidential preference primary election on March 17, 2020; providing for bond referendum procedures; and providing an effective date.

Tom Carrino, Development Services Director, provided a brief history of the project, the needs to be addressed by the project, and what is proposed to be included in the project. He stated the estimated project costs as follows: 1) Carver Park recreation facility expansion - $1.4 million; and 2) Community/conference/sailing center - $16.35 million for a total of $17.75 million. He then reviewed the proposed funding as follows: 1) City Reserves - $3 million; 2) County TDC application - $3.5 million; 3) Debt referendum - not to exceed $11.4 million; and 4) Various other grants and sponsorships to be determined. He stated the title and summary to be included on the March 17, 2020 ballot.

Mr. Carrino explained that the wording was crafted by Gray Robinson and they will also assist with the financing. He added that the Supervisor of Elections also performed a courtesy review to ensure the wording meets statutory requirements.

Ron Neibert, City Manager, added the City will also have to provide a Spanish translation for the ballot.

Mr. Carrino stated the referendum would require an approximate maximum annual debt service of $840,000 and based on the current tax base require an approximate additional millage of 0.7770 resulting in an additional $78 in property tax for a property with $100,000 in taxable value. He then stated that the plan is to place the referendum on the March 17, 2020 ballot. If approved, design and engineering would begin immediately following the referendum with construction to begin in Fall 2020 and completed by February 2022.

Mayor Holland asked if a financial feasibility study had been done by an outside source with Mr. Neibert responding that staff has performed an analysis of the costs and anticipated revenue.

Mayor Holland recommended having an outside entity perform a financial analysis to be able to provide to the public. He expressed support for the project and cited the need to replace the community building and expand the Carver Park facility.

Mr. Neibert responded it was the intention as part of the overall marketing package to have what will it cost each resident each year in taxes and if there would be any increase to pay for the maintenance. He stated staff does not anticipate needing additional funding to pay for the ongoing operations and maintenance.

The Commission discussed the need for a financial analysis and the feasibility of conducting the egaming due to the technological needs for that.

Mr. Carrino explained that the sailing organization is interested in engaging the public and the intent is to make this a model facility for spectator engagement. He stated that part of the plans include hardwiring the facility with cutting edge technology for both engaging spectators and for egaming. He confirmed that the egaming would be the competitive video gaming.

Mr. Neibert noted that John Pearl, who has assisted with the plans, is the technology manager for Lady Lake and has extensive computer knowledge.

The Commission confirmed that the additional funding for Carver Park would allow for the basketball games and commented on the benefit the project will have on the downtown as well as property values for the rest of the City.

The Commission further discussed how the project will involve partnerships with a number of organizations, how the project will be financed and how it is in line with the previously approved master plan.

The Commission then asked to have the cost for a financial feasibility study provided at the next meeting and stated the need to make sure the residents know the benefits to them through the replacement of the community building and the expansion of the recreation building.

Mr. Schroth opened the public hearing at 6:55 p.m.

Daniel DiVenanzo stated he would be impacted by about $5,000 per year and emphasized that would be a good investment in the City. He commented on the benefits to the community and complimented the Commission on the City's financial health.

David Serdar commented on his family's experience with sailing and the benefits to the family.

There being no further public comment, the hearing was closed at 6:58 p.m.

Moved by Commissioner Aliberti, seconded by Commissioner Morin, to approve Resolution Number 19-102. Motion carried by the following votes:

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

7.2 Resolution Number 19-103: Authorizing City Manager to purchase parking lot property at public auction (Johnny Smith property)

Mr. Schroth announced Resolution Number 19-103: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, approving and authorizing the City of Eustis manager to bid on parking lot property at a foreclosure sale for the benefit of the City of Eustis; approving the required budget amendment based on the final sale price.

Mr. Neibert explained the need for additional parking and stated the City is already leasing the parking lot. He indicated that the property will be coming up for auction on November 14th.

Mr. Schroth opened the public hearing at 7:00 p.m. There being no public comment, the hearing was closed at 7:00 p.m.

Moved by Commissioner Morin, seconded by Commissioner Lee, to approve Resolution Number 19-103. Motion carried by the following votes:

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

7.3 Ordinance Number 19-28: Small Scale Future Land Use Map Amendment to the Comprehensive Plan - south side of E Orange Avenue west of Abrams Ave.

Mr. Schroth read Ordinance Number 19-28 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 3.9 acres located on the south side of E. Orange Avenue, 700 ft. west of Abrams Road, as more particularly described herein, from Residential Office Transitional (RT) to Mixed Commercial Residential (MCR).

Mr. Schroth opened the public hearing at 7:01 p.m. There being no public comment, the hearing was closed at 7:01 p.m.

Moved by Commissioner Morin, seconded by Commissioner Aliberti, to approve Ordinance Number 19-28 on second and final reading. Motion carried by the following votes:

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

7.4 Ordinance Number 19-29: Amending Chapter 66 - Parks and Recreation

Mr. Schroth read Ordinance Number 19-29 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending Chapter 66 – Parks and Recreation; adding Article V – Hours of Operation; providing for severability; providing an effective date.

Mr. Schroth opened the public hearing at 7:02 p.m. There being no public comment, the hearing was closed at 7:02 p.m.

Moved by Commissioner Morin, seconded by Vice Mayor LeHeup-Smith, to approve Ordinance Number 19-29 on second and final reading. Motion carried by the following votes:

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

7.5 <u>Ordinance Number 19-30: Amending Chapter 34 to prohibit littering and dumping of waste, authorizing placement of signs and surveillance cameras and authorizing imposition of fines</u>

Mr. Schroth read Ordinance Number 19-30 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending Chapter 34, Sections 34-31 through 34-55 of the Code of Ordinances; prohibiting the littering, dumping, leaving, placing, or disposing of waste and related offenses; adding and changing current definitions; repealing all prior Eustis ordinances inconsistent herewith; providing penalties; authorizing the placement of signs and cameras; providing for renumbering subsequent sections accordingly; providing for conflict with existing ordinances, and providing for codification, severability, and an effective date.

Police Chief Gary Calhoun stated the goal of the ordinance is to increase the fines, install some signage and possibly install cameras to help reduce littering especially around Ferran Park.

The Commission asked about the amount of the fines with Mr. Schroth explaining the need to have a graduated scale.

Chief Calhoun indicated that having the sign read "fines up to $5,000" should get people's attention with Mr. Schroth indicating that the offenders could also be prosecuted criminally. He explained that if someone was particularly egregious in violating the ordinance he could file an injunction against them or have them trespassed.

Mr. Schroth opened the public hearing at 7:06 p.m.

Gary Ashcraft expressed concern regarding whether or not the ordinance will be enforced and allowing people to loiter in the downtown area.

Christine Cruz asked about Section 1 under "purpose" and if that applies anywhere in the City with Mr. Schroth indicating that there is already an ordinance that prohibits dumping on private property so the ordinance only applies to public property.

David Serdar expressed support for the ordinance citing various types of trash he has seen in the park.

There being no further public comment, the hearing was closed at 7:12 p.m.

Mayor Holland indicated staff would have additional information regarding enforcement of the ordinance at the next hearing.

Moved by Commissioner Morin, seconded by Commissioner Aliberti, to approve Ordinance Number 19-30 on first reading. Motion carried by the following votes:

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

7.6 Ordinance Number 19-31: Authorizing the assessment of late fees on delinquent Fire Inspection accounts

Mr. Schroth read Ordinance Number 19-31 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending Chapter 38 – "Fire Prevention and Protection", adding Section 38-94 "Late fees for delinquent fire inspection accounts" to the Code of Ordinances for the City of Eustis; providing for severability, providing for an effective date.

Fire Chief Michael Swanson explained the need for the late fees citing the City's ISO rating and the fire inspection program. He stated the City currently has approximately $5900 in delinquent accounts. He explained that the Finance Dept. has recently assumed responsibility for billing the fire inspections. He stated the late fee will only be a one-time $10 fee.

Mr. Schroth opened the public hearing at 7:16 p.m. There being no public comment, the hearing was closed at 7:16 p.m.

Moved by Commissioner Aliberti, seconded by Commissioner Lee, to approve Ordinance Number 19-31 on first reading. Motion carried by the following votes:

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

8. OTHER BUSINESS

8.1 Update on the Bid Process for the Ferran Park Project, Phases 4 & 5

Rick Gierock, Public Works Director, explained that only one bid was received for the Ferran Park project with a lump sum bid of $2,366,296. He stated the project budget is only $1,431,000. He further explained that staff then met with Keator Constructor to try and reduce the cost but they were unable to close the gap significantly; therefore, Purchasing rejected the bid. He presented a price list from the bid. He stated that the bid price for the electrical work was significantly higher than expected. He cited a proposal to remove the pavers from the project and replace it with asphalt at a savings of $247,000 but it did not appear that was desired.

Mr. Gierok then reviewed cost reduction options staff is pursuing as follows: 1) Utilizing a Construction Management approach with Evergreen Construction. They are to provide a guaranteed maximum price to the City no later than November 14th. 2) Reducing the number of power boxes for vendors and holiday power. He commented on the style of the boxes originally proposed and how that price could be reduced by using a different style box. 3) Leasing light poles from Duke Power. He explained that the previous plan was to try and complete the project before Georgefest which prevented the City from being able to lease the poles rather than buy.

Mr. Gierok them explained staff will have Evergreen Construction review the project and provide a guaranteed maximum price which would entail negotiations between them and staff. He stated that staff will present the revised recommendation at either the November 21st or, more likely, the December 5th meeting. He said if they proceed with the GMP, they would issue a notice to proceed in December to allow for pre-purchase of long lead time items. Hard construction would begin immediately after Georgefest with a target for completion of late June. He explained why the projects are coming in so much over budget.

Mr. Neibert commented on staff's belief that the City needs to maintain the current scope in order to get the type of product that the City needs for its lakefront.

The Commission questioned whether or not the $2.3 million is too high for the project with Mr. Gierok responding he expects to see a better price. Support was expressed for finding the additional funds to do the project and maintaining the pavers.

Mr. Neibert indicated that staff is trying to get the project down to $1.8 to 1.9 million.

Discussion was held regarding the brightness of the downtown lighting.

The Commission asked for an update on the dog park with Mr. Gierok indicating the paving is done and they are waiting on some equipment to be delivered in order to do some of the work.

Mayor Holland indicated that Commissioner Gnann-Thompson's birthday would have been December 19th and it would be good to be done by then. He then asked about the plans to outsource some of the maintenance and gardening with Mr. Gierok indicating he is looking at Mount Dora's plan citing the good success they have had with outsourcing.

Mayor Holland asked about maintenance for the kayak launch with Mr. Gierok responding that the existing kayak launch isn't what is really needed. He stated he would look at what would be required to make it usable.

Commissioner Lee asked about the blind mosquitoes and the dirty benches on the Lake Walk with Mr. Gierok indicating the lights are bringing in the mosquitoes and staff pressure washes them regularly.

Mr. Gierok reported on the Eustis High School construction institute stating that it will teach carpentry, masonry, electrical and plumbing. He stated the City will be putting students to work on Lake Willie.

Mayor Holland asked Mr. Gierok to thank his staff for everything they are doing.

8.2 Consideration of Daniel DiVenanzo, Lake Investment Ventures LLC, offer to purchase City property

Mr. Neibert reported on Daniel DiVenanzo's purchase of the existing marina and his desire to purchase the City property across Lakeshore Drive to assist with his improvements to the marina. He has offered $60,000 for the property which is in line with the assessed value.

The Commission discussed the improvements to the marina and how the additional property will help make the marina a success.

CONSENSUS: It was a consensus of the Commission for staff to work with Mr. DiVenanzo on a contract.

8.3 Mayor Holland asked Carla Rodriguez to report on on the JeepFest.

Ms. Rodriguez stated that the next Toyfest/Jeepfest will be held November 16th . She explained it is a toy drive to benefit Toys for Tots. She commented on the different categories they will be giving prizes for. She reported on the various activities and entertainment that will be provided and cited the need for more vendors and donations for raffles. She cited other drop off locations for the toy drive.

9. FUTURE AGENDA ITEMS

Commissioner Aliberti asked about her previous request to have information regarding what the City can do about vacant buildings with Mr. Neibert explaining that staff is still gathering information.

10. COMMENTS

10.1 City Commission

Commissioner Lee commented on her attendance at the sailing club regatta and noted a local church's youth group wants to get involved with the sailing club. She announced the birth of twin girls for her son.

Commissioner Aliberti announced the Veterans Stand Down on the 17th in Tavares for homeless veterans. She explained they will have services there to provide information to the homeless vets. She commented on the VetFest breakfast and cited the number of positive comments the event has received.

Commissioner Morin reported on his attendance at the Boys and Girls Club event. He asked the Commission to consider appointing someone new to the MPO.

Mr. Neibert stated it would be on the next agenda.

Vice Mayor LeHeup-Smith commented on the number of local residents she did not know were veterans and thanked City staff for their work on the VetFest event. She reported on LEASH stating they would be giving away free spay and neuter certificates for dogs on Saturday and would hold a free microchip clinic on Thursday, November 14th.

10.2 City Manager

Mr. Neibert announced that the homeless workshop would be held Tuesday, November 26th at 5:30 p.m. He reminded everyone that the community cleanup would be Saturday, November 23rd in the Bates Avenue and Wall Street area. He stated Waste Management would be providing dumpsters and a claw truck to collect the debris.

10.3 City Attorney - None

10.4 Mayor

Mayor Holland commented on the VetFest event citing the amount of participation. He announced that he and Commissioner Morin would be at Eustis Elementary on Friday for their veterans' event. He commented on meeting Sammy Davis and the wonderful stories. He cited the amount of work the City has upcoming at the end of the year and first of the new year. He encouraged the community to stay united.

11. ADJOURNMENT: 7:55 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