APPROVED: 11/7/2019

MINUTES
Regular City Commission Meeting
6:00 PM - Thursday, September 12, 2019 - City Hall

INVOCATION: REV. TRACIE BARRETT, UNITARIAN UNIVERSALIST CONGREGATION OF LAKE COUNTY

PLEDGE OF ALLEGIANCE: COMMISSIONER ALIBERTI

CALL TO ORDER: 6:03 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

Mayor Holland recognized the members of Eustis Scout Troop #250 and presented them with the City's new lapel pins.

2. APPROVAL OF MINUTES

June 27, 2019 - City Commission Budget Workshop
August 1, 2019 - Regular City Commission Meeting

Moved by Commissioner Aliberti, seconded by Commissioner Morin, 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. AUDIENCE TO BE HEARD: NONE

4. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

4.1 Resolution Number 19-79: Proposed contracting of Police dispatching services with the Lake County Sheriff's Office

Derek Schroth, City Attorney, announced Resolution No. 19-79: A Resolution by the City Commission of the City of Eustis, Lake County, Florida; approving an agreement with the Lake County Sheriff for rendition of law enforcement dispatch services; authorizing the Mayor to execute said agreement; providing for an effective date.

Police Chief Gary Calhoun explained the issue isn't whether or not the County dispatchers can do a better job but that the County's equipment and system is better. He reviewed how the process would work and the benefits that would occur particularly in critical response incidents. He noted that overflow calls are already transferred to the County system when all of the City's lines are busy. He further reviewed benefits including the following: 1) redundancy; and 2) fewer tasks for the dispatch staff.

The Commission expressed concern about the change citing the commitment and knowledge of the City's dispatchers. They asked what the City is doing to help the employees with the transition.

Ron Neibert, City Manager, reviewed the severance package being offered as follows: 1) 240 hours of severance pay; 2) allowed to stay on City health insurance until end of calendar year; 3) allowed to cash out accrued sick and vacation pay per City policy; 4) assistance with expediting the employment process with the Sheriff's office or City of Leesburg; and 5) offering available open City positions. He stated the severance pay will equal approximately $5,000 with some of the long term employees receiving a severance package of almost $20,000.

Glen Hall, Sheriff's Major over the Criminal Justice Operations Division, explained that after successful completion of training they would receive a $3,000 sign-on bonus. He added that with the new budget cycle they are expecting an across the board step plan increase.

The Commission questioned where the City's employees would fit in and whether or not the Sheriff's Department can meet the needs of the City.

Major Hall responded that their field training may be expedited since they are already trained in dispatch. He noted their dispatch center handled over 35,000 calls last month. He explained that when they were approached by City, the first thing they did was discuss the possibility with the Sheriff's office stakeholders and evaluated the proposal. He stated they can meet the needs and they wouldn't be present if they didn't believe they could.

The Commission confirmed that Eustis would be sharing a channel with three other cities with Mr. Neibert indicating Eustis would share a channel with Tavares, Umatilla and Howey.

Major Hall explained there is not a lot of radio traffic for Umatilla and Howey. He stated that, by sharing that channel, if a police officer needs assistance and the closest officer is a Tavares officer on the east end, they could respond. He indicated that sharing a channel is almost like having instant backup. He added that Umatilla is staying on Channel 1 since the Sheriff's deputy is frequently in that area and can provide assistance.

The Commission then questioned the vacancy situation at the Sheriff's office.

Major Hall responded that is an ongoing problem with all agencies. He explained that individuals get hired and then realize it's not for them with the bulk of the exit interviews reflecting that. He commented on the turnover with officers for the same reason.

The Commission asked about the equipment with Major Hall indicating that the Sheriff's equipment is an upgrade compared to the City. He explained they can instantly patch through to another agency while the City can't do that.

The Commission then asked the cost of the required upgrades if the proposal is not approved with Mr. Neibert explaining the City will already need to do $128,000 in upgrades. He added that once the new technology for text to 911 is implemented the City will have to upgrade again.

The Commission then asked about those employees enrolled in the Florida Retirement System (FRS) with Major Hall indicating those employees would have a seamless transfer of benefits. He indicated that the others would start over in FRS. He explained that the Sheriff contributes a portion and the employee also contributes toward the retirement. He added that, even if the employee receives less per hour than they currently receive, they may experience more in the bank due to the difference in the Sheriff's contribution level.

Mr. Neibert explained that all of the employees who are fully vested will be able to take their 401K funds and City's and transfer it to the Sheriff. He stated there is one employee who is not vested and they will only get to take their contributions.

The Commission questioned what would be the difference between using City dispatch and Sheriff's dispatch in the event of a critical incident.

Major Hall responded that the City's dispatch would be inundated with calls and the overflow would roll to the Sheriff's dispatch anyway. He explained that currently the City has only two people on shift at one time while the Sheriff's office has 16 at one time so they can handle more calls at one time.

Mr. Neibert explained there would only be one point of information; whereas, right now there are two resulting in a greater likelihood of miscommunication. He noted that the School Resource Officers at the City's schools are all Sheriff's deputies. He stated it would help eliminate confusion.

The Commission then asked what would occur at night since the Police Department offices would be closed with Major Hall suggesting there would be a call box that would ring directly into dispatch. They would then dispatch a Eustis officer to respond.

The Commission then questioned whether the officers feel safe with the change with Chief Calhoun responding it will take some getting used to but think it will work out. He confirmed that Leesburg, Mount Dora and Groveland would still operate their own dispatch.

Mr. Schroth opened the public hearing at 6:31 p.m.

The following individuals spoke in opposition to the proposed changeover: 1) Adam Donaldson; 2) Harold Hughes; 3) Bobby Earp; 4) Shane Matthews; 5) Steven Lee; and 6) Gail Isaac-Thomas.

Mr. Schroth closed the public hearing at 6:54 p.m.

The Commission discussed the following issues: 1) the benefits to the City; 2) the City's efforts to ease the transition for the dispatchers; 3) the knowledge the dispatchers have regarding residents and the locations; 4) the number of long term employees that are nearing retirement and the lack of knowledge their replacements will have; 5) what would happen if the City moves forward and then decides it isn't working; and 6) what is best for the City overall.

Mr. Neibert stated, regardless of cost, from an operational and officer safety perspective this is still the best decision to make.

Further discussion was held regarding the following: 1) the number of municipalities on one channel; 2) increasing costs; 3) the number of employees affected; 4) the severance package being offered; and 5) the physical safety of the residents.

Moved by Commissioner Morin, seconded by Commissioner Aliberti, to approve Resolution Number 19-79. Defeated by the following votes:

Ayes: Commissioner Aliberti and Commissioner Morin

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

4.2 Resolution Number 19-69: Tentative Millage Rate for 2019

Mr. Schroth announced Resolution Number 19-69: 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 2019-2020; providing for an effective date.

Rob Visser, Deputy Finance Director, per state statute announced the following: 1) The name of the taxing authority is the City of Eustis; 2) The rolled-back rate is 7.0382; 3) The percentage of increase over the rolled-back rate is 7.71% and 4) the millage rate to be levied is 7.5810.

Mr. Visser then provided an overview of the property values and tax collections from 2008 to 2019 and the difference between the tax revenue under the rolled-back rate and the proposed rate. He reviewed a comparison of various taxable value increases in the county and of the various millage rates throughout the county. He stated the requested action is to establish the millage rate at 7.5810 which is the same rate as for the past six years. He added the second budget hearing would be held on September 19th.

Mr. Schroth opened the public hearing at 7:09 p.m.

Steven Lee asked why is the increase needed with Mr. Neibert stating the City is not increasing the millage rate. He explained that the 7.7% increase is based on the additional revenue the City will realize due to increased property values.

There being no further public comment, the hearing was closed at 7:11 p.m.

Moved by Commissioner Lee, seconded by Vice Mayor LeHeup-Smith, to approve Resolution Number 19-69 and set the tentative millage rate as 7.5810 mils. Motion carried by the following votes:

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

4.3 Resolution Number 19-70: Adopting a Tentative Budget for Fiscal Year 2019-2020

Mr. Schroth announced Resolution Number 19-70: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the tentative budget for Fiscal Year 2019-2020; providing for an effective date.

Mr. Visser provided an overview of the tentative budget citing the various workshops held by the City and Commission and the goals and priorities set at those meetings. He stated the second public hearing on the budget would be held September 19th with the final budget going into effect October 1st. He discussed the significant factors influencing the budget preparation and provided an overview of all funds.

Mr. Schroth opened the public hearing at 7:20 p.m. There being no public comment, the hearing was closed at 7:20 p.m.

Moved by Vice Mayor LeHeup-Smith, seconded by Commissioner Aliberti, to approve Resolution Number 19-70 adopting the tentative budget for FY2019-2020. Motion carried by the following votes:

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

4.4 Resolution Number 19-75: Site Plan Modification for Wells Fargo Bank located at 16949 US Highway 441

Mr. Schroth announced Resolution Number 19-75: A Resolution of the City Commission of the City of Eustis, Florida; approving a modification to an approved site plan for additional parking at a bank on approximately 1.12 acres located at 16949 US Hwy 441.

Lori Barnes, Development Services Director, explained the proposed modifications to the Wells Fargo site plan to provide an additional ten parking spaces, eliminate the dumpster and allow an 18 ft. wide driveway for 35 ft. She added that the fire department has granted an exception to the required 20 ft. wide driveway due to being able to access the building from two other locations. She stated the modifications meet the land development regulations with no waivers required. She then stated staff's recommendation for approval.

The Commission questioned if they will have to build a structure for the trash cans with Ms. Barnes responding negatively.

Mr. Schroth opened the public hearing at 7:26 p.m. There being no public comment, the hearing was closed at 7:26 p.m.

Moved by Vice Mayor LeHeup-Smith, seconded by Commissioner Lee, to Approve Resolution Number 1975. Motion carried by the following votes:

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

4.5 Resolution Number 19-76: Amending the current FY2018-2019 General Fund budget to recognize revenue from a private donation and to appropriate the amount as expenditure for the Haselton Dog Park Project

Mr. Schroth announced Resolution Number 19-76: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, amending the current FY2018-2019 General Fund budget to recognize revenue from a private donation and to appropriate the amount as expenditure for the Haselton Dog Park project; providing for an effective date.

Mr. Neibert explained a generous donation was received from a member of Carla Gnann-Thompson's family; therefore, the budget needs to be amended to recognize the revenue from the donation and appropriate those funds for expenditure for the Haselton Dog Park.

Mr. Schroth opened the public hearing at 7:27 p.m. There being no public comment, the hearing was closed at 7:27 p.m.

Rick Gierok, Public Works Director, provided an update on the project stating they have begun the procurement of equipment and the contractor has begun work on relocation of the fence so staff can begin work on the parking lot. He stated they should have approval of the administrative site plan soon and then crews will begin construction of the parking lot which is the longest phase of the project.

Moved by Commissioner Morin, seconded by Commissioner Aliberti, to approve Resolution Number 19-76. Motion carried by the following votes:

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

4.6 Resolution Number 19-77: Establishing accounting of direct and indirect costs resulting from enforcement of the Florida Building Code, establishing amounts for past fiscal years, and amending the current budget

Mr. Schroth announced Resolution Number 19-77: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, establishing accounting of direct and indirect costs resulting from enforcement of the Florida Building Code, establishing amounts for past fiscal years, and amending the current budget; providing for an effective date.

Colleen Scott, Finance Director, explained the Commission previously approved the establishment of a Building Services fund. She explained that state statute previously stated that unexpended balances could be rolled forward; however, in 2019, the legislature passed HB 447 which states that a local government may not carry forward more than the average of the operating budget for the previous four years. Anything over that must be either refunded or fees must be reduced. She explained staff is proposing to codify the Building Services budgets from 2016, 2017 and 2018 when it was spread across the General Fund and amend the current budget. She further explained the amendment is proposed to include in the previous years' allocations 33% of the Development Services Director's compensation and 25% of the fire inspection program. The current year budget would also be amended to include $40,000 for two inspection vehicles and $10,212 under Administration for IT support, insurance, audit and financial services as well as the Development Services Director's compensation and the fire inspection program.

Mr. Schroth opened the public hearing at 7:34 p.m. There being no public comment, the hearing was closed at 7:34 p.m.

Moved by Vice Mayor LeHeup-Smith, seconded by Commissioner Lee, to approve Resolution Number 19-77. Motion carried by the following votes:

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

4.7 Ordinance 19-23 - Voluntary Annexation of 18725 East Bates Avenue
Ordinance 19-24 - Comprehensive Plan Amendment for 18725 East Bates Avenue
Ordinance 19-25 - Design District Assignment for 18725 East Bates Avenue

Mr. Schroth read Ordinance Number 19-23 by title only on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 44.81 acres of real property located at 18725 E. Bates Avenue, Eustis, FL.

Ms. Barnes reviewed the proposed annexation of the Eustis Middle School property located at 18725 E. Bates Avenue and the affiliated future land use map amendment designating the property as Public Institutional within the City and designated design district designation of Suburban Neighborhood. She explained that the three ordinances must be considered separately. She stated the proposed future land use designation is consistent with the Comprehensive Plan and Land Development Regulations and with the surrounding designations and patterns. She noted the school is already connected to City services and an environmental report was conducted to make sure no wetland features exist on the site that would preclude future expansion of the school. She stated staff's recommendation for approval of the annexation, future land use designation and design district designation. She cited the benefit to the School Board of a reduction in utility costs.

The Commission confirmed which areas nearby are in the City and which are not.

Mr. Schroth opened the public hearing on Ordinance Number 19-23 at 7:41 p.m. There being no public comment, the hearing was closed at 7:41 p.m.

Moved by Commissioner Aliberti, seconded by Vice Mayor LeHeup-Smith, to approve Ordinance Number 19-23 on first reading. Motion carried by the following votes:

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

Mr. Schroth read Ordinance Number 19-24 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 44.81 acres of recently annexed real property located on 18725 E. Bates Avenue from Public Service Facility and Infrastructure in Lake County to Public Institutional (PI) in the City of Eustis.

Mr. Schroth opened the public hearing on Ordinance Number 19-24 at 7:42 p.m. There being no public comment, the hearing was closed at 7:42 p.m.

Moved by Commissioner Lee, seconded by Vice Mayor LeHeup-Smith, to approve Ordinance Number 19-24 on first reading. Motion carried by the following votes:

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

Mr. Schroth read Ordinance Number 19-25 by title only 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 44.81 acres of recently annexed real property located at 18725 E. Bates Avenue.

Mr. Schroth opened the public hearing on Ordinance Number 19-25 at 7:43 p.m. There being no public comment, the hearing was closed at 7:43 p.m.

Moved by Commissioner Lee, seconded by Commissioner Aliberti, to approve Ordinance Number 19-25 on first reading. Motion carried by the following votes:

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

4.8 Ordinance Number 19-26: Small Scale Future Land Use Map Amendment to the Comprehensive Plan (2019-CPLUS-08); 50 W. Orange Avenue

Mr. Schroth read Ordinance Number 19-26 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 0.24 acres located at 50 West Orange Avenue, as more particularly described herein, from Mobile Home Park/Recreational Vehicle (MHP/RV) to Central Business District (CBD) in the City of Eustis.

Ms. Barnes explained the proposed future land use map amendment changing the property at 50 West Orange Avenue from Mobile Home Park/Recreational Vehicle (MHP/RV) to Central Business District (CBD) which will eliminate the current non-conformancy. She explained the request is actually from the City and not from the property owner. She stated the proposed amendment is consistent with the Future Land Use Element of the Comprehensive Plan and the Land Development Regulations. She explained that a new use has been requested that would require a change of use. She stated the amendment will allow the building and uses to function as conforming uses and would eliminate any confusion about the allowable uses in the building. She indicated the current land use designation was probably due to a mapping error. She stated staff's recommendation for approval.

Mr. Schroth opened the public hearing at 7:51 p.m. There being no public comment, the hearing was closed at 7:51 p.m.

Moved by Commissioner Lee, seconded by Commissioner Aliberti, to approve Ordinance Number 19-26 on first reading. Motion carried by the following votes:

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

4.9 <u>Ordinance Number 19-27: Small Scale Future Land Use Map Amendment to the Comprehensive Plan (2019-CPLUS-09) Southwest Corner of Bates Avenue and Palmetto Street</u>

Mr. Schroth read Ordinance No. 19-27 by title only 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 0.25 acres located at the southwest corner of Bates Avenue and Palmetto Street, as more particularly described herein, from Suburban Residential (SR) to Mixed Commercial Residential (MCR).

Ms. Barnes explained the proposed future land use map amendment noting there is a wide range of land use designations in the immediate area surrounding the property. She explained the difference between the two designations. She stated the request is consistent with the Future Land Use Element and a logical extension of the existing future land use designations and uses in the area. She cited the Community Redevelopment Area directive to develop the area into a commercial corridor/business district stating it would be a logical terminus for the MCR land use. She indicated the parcel already receives City services as it was previously developed. She noted that previously the parcel was designated MCR and there is no documentation as to why it was changed to SR. She suggested that it may have been a scrivener's error. She stated staff's recommendation for approval and belief that the request is appropriate for the property.

The Commission asked about future plans for the parcel with Ms. Barnes indicating there does not appear to be any immediate plans for the parcel.

Mr. Schroth opened the public hearing at 8:01 p.m.

Ms. Isaac Thomas expressed support for the proposed change and development of the property.

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

Moved by Commissioner Lee, seconded by Commissioner Morin, to approve Ordinance Number 19-27 on first reading. Motion carried by the following votes:

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

5. FUTURE AGENDA ITEMS: NONE

6. COMMENTS

6.1 City Commission

Commissioner Lee reported on her attendance at the after school food program. She noted that Congressman Webster's representative was present as well.

Commissioner Aliberti noted that the Veteran's banners are going up with the rest to go up on September 25th. She reported that she agreed to be on the Construction Academy Board at the high school. She stated they have 125 students signed up. She commented on local companies providing funding for the program. She added that she will be volunteering as a mentor at Eustis Elementary.

Commissioner Morin announced he would be emceeing the Designer Bag Bingo at the Community Building. He commented on the impact on Commission decisions due to community input.

Vice Mayor LeHeup-Smith announced that Lake Community Action Agency would be opening a school in Leesburg. They also have applied for a grant to help troubled young adults learn a trade. She thanked everyone that attended the "Soup for Good" fundraiser noting they raised almost $43,000 for the Open Door drop in center. She also thanked City staff for the hurricane reports and how prepared the City was.

6.2 City Manager

Mr. Neibert reported that the City had to purchase approximately $10,000 for food for staff as part of the hurricane preparations but they were able to donate the perishable portion of that to the local food banks. He commented on the Soup for Good event and the after school food program. He noted that the City provides after school meals for from 80 to 100 children every day. He reminded the Commission that there would be a Housing Committee meeting on September 26th.

6.3 City Attorney: None

6.4 Mayor

Ms. Isaac Thomas thanked the City Commission and staff for their support during the death of her brother.

Stephanie Carder, Lake Eustis Area Chamber of Commerce President, complimented City staff for their assistance with problems at their new building and getting the air conditioning repaired in time for their grand opening.

Mayor Holland commented on his work with staff during the hurricane preparations and negotiations on the ISBA. He expressed concern about the use of Facebook for negative comments. He asked that people call the City and get correct information before posting negative comments. He commented on his and Commissioner Lee's attendance at the 100th anniversary of Lifepointe Community Church.

7. ADJOURNMENT: 8:14 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