APPROVED: 8/1/2019

MINUTES
Regular City Commission Meeting
6:00 PM - Thursday, July 18, 2019 - City Hall

INVOCATION: MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE: VICE MAYOR LEHEUP-SMITH

CALL TO ORDER: 6:02 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

1. AGENDA UPDATE

2. APPROVAL OF MINUTES

2.1 May 2, 2019 - CIP Workshop
June 20, 2019 - City Commission Meeting

Moved by Commissioner Morin, seconded by Commissioner Lee, to approve the Minutes of the May 2, 2019, CIP workshop and the June 20, 2019, regular City Commission meeting. Motion carried by the following votes:

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

3. PRESENTATIONS

3.1 Acceptance of Capital Improvement Plan (CIP) 2020-2024

Rob Visser, Deputy Finance Director, reviewed the proposed Capital Improvement Plan for FY2020-2024 and explained the purpose of a capital improvement plan. Major projects for FY2019-20 include Street resurfacing - $349,813, CRA housing rehabilitation - $250,000; Police vehicle replacement - $175,000; Sewer infiltration north end - $400,000; Main Wastewater Treatment Plant expansion engineering - $600,000; and Eastern reclaimed water ground storage - $1,226,250. He provided an analysis of the funding for the capital improvements by fund and by expenditure category.

Moved by Commissioner Lee, seconded by Commissioner Morin, to accept the Capital Improvement Plan for 2020-2024. Motion carried by the following votes:

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

3.2 Proposed millage rate for 2019 (Fiscal Year 2020) and date of first public budget hearing.

Colleen Scott, Finance Director, announced that the additional homestead exemption did not pass which would have cost the City a significant amount of revenue. She provided an overview of the historic property values and millage rates from 2007 through 2019 and cited the increase in square miles since 2007. She compared the staffing levels for police and fire while serving a larger area. She then provided a ranking of area millage rates noting the number of other municipalities that also have a fire assessment fee. She cited other factors that affect the required millage rate including property values, new construction, annexation, residential sales history and the County gas tax allocation.

Ms. Scott then reviewed the different millage rate definitions and rates as follows: 1) Current rate - 7.5810; 2) Roll back rate - 7.0382 (which would provide a loss in revenue for FY19-20 of $575,077); 3) Maximum simple majority rate - 7.2768; and 4) Maximum two-thirds majority rate - 8.0045. She then reviewed the amount of anticipated ad valorem revenue anticipated based on the various millage rate options. She stated staff is proposing retaining the millage rate at 7.5810 and public hearing dates of September 5 and 19 at 6 p.m.

Moved by Commissioner Lee, seconded by Commissioner Morin, to approve the proposed millage rate of 7.5810 and set the first public hearing on the budget for September 5, 2019. Motion carried by the following votes:

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

4. AUDIENCE TO BE HEARD

Christine Cruz thanked the City for the Independence Day celebration and noted the amount of cleanup required. She suggested having dumpsters available for the next big event. She invited everyone to participate in the upcoming August 3rd lakefront cleanup.

Daniel DiVenanzo announced that CJ's Seafood Company opened that night.

Mayor Holland suggested asking the Sheriff's Department to bring over their trustees to help with the next event.

5. CONSENT AGENDA

5.1 Resolution Number 19-61: Duke Energy Easement Agreements

5.2 Resolution Number 19-62: Accepting Edward Byrne Memorial Justice Assistance Grants (2019-JAGC-3416 and 2019-JAGD-2141)

5.3 Resolution Number 19-64: Approval of purchase in excess of $25,000 for Neptune Meter reading equipment

5.4 Resolution Number 19-65: Release of Lien, Property Donation and Property Purchase Authorization

5.5 Resolution Number 19-66: Release of Lien, 1123 East Clifford Avenue, Code Enforcement Case 16-00925

5.6 Resolution Number 19-67: Release of Lien, 3006 North Lakeview Court, Code Enforcement Case 13-27943

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

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

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

FIRST READING

6.1 Ordinance Number 19-21: Annual update of the Five-Year Capital Improvements schedule of the Comprehensive Plan Fiscal Year 2019-20

Zach Broome, Acting City Attorney, read Ordinance Number 19-21 by title only on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving the annual update of the five year Capital Improvements Schedule of the Comprehensive Plan pursuant to Florida Statutes 163.3177(3)5(b); providing for conflicting ordinances; severability and effective date.

Mr. Broome opened the public hearing at 6:18 p.m. There being no public comment, the hearing was closed at 6:18 p.m.

Moved by Commissioner Morin, seconded by Vice Mayor LeHeup-Smith, to approve Ordinance Number 19-21 on first reading. Motion carried by the following votes:

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

6.2 Ordinance Number 19-22: Amendment to Land Development Regulations, Chapter 109, Section 109.3 Land Use District Development Intensity

Mr. Broome read Ordinance Number 19-22 by title only on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the Land Development Regulations, Chapter 109, Section 109.3, Land Use District Development Intensity to assign incrementally decreasing intensities (floor area ratios) for non-residential and mixed-use land use districts based on design district designation and other locational criteria; providing for codification, severability and an effective date.

Lori Barnes, Development Services Director, provided a review of the proposed amendments to Chapter 109, Section 109.3, of the Land Development Regulations regarding development intensity. She stated that on June 6th, the Commission approved the related amendment to the Comprehensive Plan. She presented a map and some specific examples to show how the higher intensities are in the central area of the city and reduce appropriately towards the outer lying areas. She stated staff had received no public comment either in opposition or support of the proposed amendment and staff's recommendation for approval.

Mr. Broome opened public hearing at 6:30 p.m. There being no public comment, the hearing was closed at 6:30 p.m.

Moved by Commissioner Morin, seconded by Commissioner Aliberti, to approve Ordinance Number 19-22 on first reading. Motion carried by the following votes:

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

SECOND READING

6.3 Ordinance Number 19-20: Conditional Use Permit for Mobile Food Truck Venue at 201 E. Orange Avenue

Mr. Broome read Ordinance Number 19-20 by title only on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving a conditional use permit to allow a mobile food truck venue (mobile vendor food trucks as an accessory to an eating/drinking establishment) on 0.21 acres in the Central Business District future land use district at 201 E. Orange Avenue.

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

Daniel DiVenanzo expressed concern about the proposed development, the sample site plan and life safety issues with the location. He urged them to consider alternate locations.

Tim Green, Green Consulting Group, noted he is a certified planner and landscape architect. He explained the wall included on the concept plan is to protect the staff and clientele. He explained the intent is for it to be more of a walking destination. He commented on the need for the downtown to have a vibrant walking environment. He noted that the development will be the first of its kind in Lake County.

The Commission discussed the following: 1) traffic concerns and the possibility of vehicles having to back out onto Orange Avenue; 2) the fact that what was presented was only a concept plan and the actual plan would still have to go through the site plan review process; 3) the possibility of removing parking from the site; 4) the visual effect of the wall; and 5) whether or not the enterprise would be financially viable.

Ron Neilbert, City Manager, reminded the Commission they are only considering the concept and stated that staff would work with the applicant to develop the actual site plan.

The following individuals expressed opposition to the location citing the dangers and current lack of maintenance on the property: 1) Evan Kondraikis; 2) Stephanie Carder; 3) Sandi Johnson; and 4) Gail Isaac Thomas.

Rodrigo Morocho, applicant, stated he understood there would be a risk to the enterprise but assured the Commission of his willingness to do whatever's necessary to make it work.

There being no further public comment, Mr. Broome closed the public hearing at 6:57 p.m.

The Commission further discussed the ordinance noting the following: 1) The danger and amount of traffic at the intersection; and 2) the possibility of them considering other locations.

Commissioner Aliberti reported she had been contacted by George Asbate regarding the danger of the location.

Moved by Vice Mayor LeHeup-Smith, seconded by Commissioner Lee, to approve Ordinance Number 19-20 on second and final reading. Defeated by the following votes:

Ayes: Vice Mayor LeHeup-Smith and Commissioner Lee

Nays: Commissioner Morin, Commissioner Aliberti, and Mayor Holland

7. **FUTURE AGENDA ITEMS: None**

8. **COMMENTS**

8.1 City Commission

Commissioner Aliberti noted the upcoming First Friday and Strut Your Mutt events. She cited the probability of there being some back to school events with backpacks and free haircuts.

Commissioner Lee stated her happiness about the opening of CJ's Seafood Restaurant. She announced her youngest son had a gender reveal and they are expecting twin girls.

Vice Mayor LeHeup Smith announced there would be an Open Door fundraiser - Soup for Good - on September 10th at Lifepointe Church. She also announced she would be holding a Trap-Neuter-Return workshop on Saturday at the Umatilla Library at 10 a.m.

Commissioner Lee noted she had donated some items to the Open Door and couldn't believe the number of people there. She encouraged residents to donate and stated they need tennis shoes and food donations.

Vice Mayor LeHeup-Smith responded that they are seeing 40 people per day with five to seven new people each day.

8.2 City Manager

Mr. Neibert presented a schedule of events for the rest of the calendar year.

8.3 City Attorney - None

8.4 Mayor

Mayor Holland noted the upcoming Comedy Show in September.

Darius Kerrison stated the Comedy Show would be September 28th and would be their five year anniversary.

9. **ADJOURNMENT: 7:13 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