**APPROVED: 1/3/2019**

# City of Eustis, Florida

City Hall
10 North Grove Street
Post Office Drawer 68
Eustis, FL 32727-0068

## Meeting Minutes – Final*
## City Commission

**Thursday, December 6, 2018** **6:00 PM** **City Hall**

**INVOCATION: Rev. Brent Elliott, Lake Eustis Christian Church**

**PLEDGE OF ALLEGIANCE: Vice Mayor Aliberti**

**CALL TO ORDER: Mayor Morin**

**ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE**

**Present:** 4 - Commissioner Linda Bob; Commissioner Michael Holland; Vice-Mayor Marie Aliberti; and Mayor Robert Morin

**Absent:** 1 - Commissioner Carla Gnann-Thompson

## I. AGENDA UPDATE

## II. APPROVAL OF MINUTES

**18-0305** November 14, 2018 - City Commission Workshop
November 15, 2018 - Regular City Commission Meeting

**A motion was made by Commissioner Holland, seconded by Vice-Mayor Aliberti, that the Minutes be Approved. On a voice vote, the motion passed unanimously.**

## III. PRESENTATIONS

**18-0292** Presentation of the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended September 30, 2017

*Colleen Scott, Finance Director, presented to the Commission the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for the fiscal year ending September 30, 2018. She explained some of the criteria used to determine the City's eligibility and provided an overview of the City staff responsible for the information contained in the report. She announced the City had received the award for 30 consecutive years and they will begin work on the next report in January.*

**18-0294** Review of Additional Organizational Support Grant Applications for Fiscal Year 2018-19

*Ms. Scott explained the Commission had directed staff to re-open the application period for award of the last $3,100 of designated grant funding. She noted that applications were received from Bay Street Players and the Eustis Historical Museum. She stated staff's recommendation that $2,100 be awarded to Bay Street Players and $1,000 to the Eustis Historical Museum.*

**A motion was made by Commissioner Bob, seconded by Commissioner Holland, for the organizational grants to be awarded as recommended. On a voice vote, the motion passed unanimously.**

# IV. APPOINTMENTS

## 18-0296 Appointment to the Downtown and East Town Redevelopment Agency Board (CRA Board) - Two Positions

*Tom Carrino, Economic Development Director, explained the Commission previously approved to add two new community representative positions to the CRA Board. He stated the positions were advertised and five applications were received; however, one was deemed to not be eligible for appointment. He stated that the two applicants for the west side are Evan Contorakos and Daniel Kelsey and the two applicants for the east side are Lorenzo Hagins and James Trent.*

*Mary Montez, City Clerk, reviewed the process to be used for the nominations and votes on the applicants while Mr. Carrino escorted the applicants to the conference room to await their turns.*

*Evan Contorakos and Daniel Kelsey individually presented their qualifications for consideration and their reasons for wanting to be appointed to the CRA Board.*

*Mayor Morin opened the floor to nominations at 6:20 p.m.*

*Vice Mayor Aliberti nominated Dan Kelsey. Commissioner Holland seconded the motion.*

*Mayor Morin nominated Evan Contorakos. Commissioner Bob seconded the motion.*

*There being no further nominations forthcoming, the floor was closed to nominations.*

*Derek Schroth, City Attorney, stated that the nominations made it appear that any vote on the nominations would result in a two to two vote. He suggested that the Commission consider postponing the appointment until the next meeting when a full Commission would be present.*

*Commissioner Holland moved to postpone the appointment of the west side representative to January 3rd. Commissioner Bob seconded the motion.*

*On a voice vote, the motion passed unanimously.*

*The Commission then discussed postponing both appointments.*

**A motion was made by Commissioner Bob, seconded by Commissioner Holland, that the appointment of both the east and west side CRA representatives be postponed to the January 3rd meeting. On a voice vote, the motion passed unanimously.**

## 18-0299 Reappointment to the Code Enforcement Board (CEB) - George Asbate

**A motion was made by Commissioner Holland, seconded by Commissioner Bob, that George Asbate be reappointed to the Code Enforcement Board for a full term. On a voice vote, the motion passed unanimously.**

## 18-0297 Reappointment to Historic Preservation Board - Joseph Pellegrini

**A motion was made by Commissioner Holland, seconded by Commissioner Bob, that Joe Pellegrini be reappointed to the Historic Preservation Board. On a voice vote, the motion passed unanimously.**

# V. AUDIENCE TO BE HEARD

*Nan Cobb addressed the Commission expressing concern regarding the possibility of the fairgrounds being relocated out of Eustis. She suggested they request a meeting with the Lake County Fair Board.*

*Karen LeHeup-Smith announced that Clean Up Eustis would be held Saturday in Ferran Park. She noted that they will be having two kayaks to help with the water cleanup. She asked everyone to come and help with the cleanup. She stated that pictures would be done at 8:30 a.m. with cleanup to begin at 9:00 a.m.*

*Darius Kerrison announced the holiday popup shop and comedy show would be held December 15th and January 5th there would be a taping for a dvd special. He then commented on improvements made throughout the City in the past year and then cited the number of murders that have occurred in the City in the past year and the effect on the residents. He emphasized the need to have more programs for the youth and the need for more police officers on the street. He stated one neighborhood may be most affected now but emphasized that the violence will expand. He recommended a community meeting to discuss how to address the issues.*

*Ann Ivey, Library Director, reported on her attendance at the state library conference in Tallahassee. She announced that her Library Board is down three members and stated the need to find people interested in serving.*

## VI. CONSENT AGENDA

### 18-0291 Historic Preservation Annual Report

### 18-0293 Resolution No. 18-106: Purchase in excess of $25,000 for new pumps at Lift Stations #9 and #17

**A motion was made by Commissioner Holland, seconded by Vice-Mayor Aliberti, to approve the Consent Agenda. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Bob; Commissioner Holland; Vice-Mayor Aliberti; and Mayor Morin

## VII. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

### 18-0270 Resolution No. 18-99: Bid Award for Construction Services for the Ardice and Ruleme Roadway Improvements

*Derek Schroth, City Attorney, announced Resolution No. 18-99: A Resolution of the City Commission of the City of Eustis, Lake County, Florida, awarding Bid No. 012-18 to Florida Safety Contractors, Inc. for construction services for the Ardice-Ruleme roadway improvements project; authorizing the City Manager to execute all agreements and contracts according to the contract documents; and authorizing budget amendments and transfers in the amount of $1,115,969.*

*Rick Gierok, Public Works Director, reviewed the Ardice-Ruleme roadway improvement project. He explained it began as a stormwater project; however, it will include a lot more work. He explained how the stormwater will be routed and the areas where it will alleviate flooding. He stated the road will be converted from a crown shape to an inverted-v with inlets. He cited where roads will be rebuilt and sidewalks will be added on Ardice, Ruleme and Kurt Street. He stated that sidewalk will not be on both sides of Kurt the entire length but there will be crossovers. He explained that the ground conditions prohibit putting on both sides. He further explained the City has entered into an agreement with the shopping center to utilize their retention pond with the City assuming maintenance responsibility for the pond. He commented on other difficulties and the increase in cost due to time it took to develop, adding the sidewalks and increased prices for construction work. He stated the project came in way over budget so staff will be self-performing the stormwater and road work on Oak Lynn and the contractor has agreed to reduce their scope of work which will result in substantial savings.*

*The Commission confirmed it is not the same contractor as for Lakeview and expressed concern as to whether or not the work would overtax City crews.*

*Mr. Gierok explained the cost for the contractor to complete the Oak Lynn work would be $284,000 and for Kurt Street $345,000 and the City crews could complete both for $210,000.*

*The Commission commented on the need to increase the Public Works staffing and the possibility of holding a workshop to discuss Public Works.*

*Mr. Gierok explained that the biggest delay on Lakeview was a four-month delay in relocating other utilities. He stated the City could rebid the portion that City staff will be doing but indicated that it probably would not result in savings.*

*The Commission discussed whether or not to rebid the City portion and whether or not to increase the Public Works staff.*

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

*Daniel DiVenanzo and Eileen Joyce Johnson addressed the Commission in support of the resolution.*

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

**A motion was made by Commissioner Holland, seconded by Commissioner Bob, to Approve Resolution No. 18-99. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Bob; Commissioner Holland; Vice-Mayor Aliberti; and Mayor Morin

## 18-0295 Resolution No.18-104: Creating a new Special Revenue Fund titled "Building Services Fund"

*Mr. Schroth announced Resolution No. 18-104: A Resolution of the City Commission of the City of Eustis, Lake County, Florida, creating a new Special Revenue Fund titled "Building Services Fund" and authorizing the Finance Director to execute budget amendments, accounting entries and fund transfers for establishing the fund.*

*Colleen Scott, Finance Director, explained the need for the new special revenue fund to provide improved transparency and accountability for the development services fees and expenses and the difficulty in tracking those through the General Fund.*

*Ron Neibert, City Manager, noted the years when there was a deficit and the General Fund covered the difference. He asked if those funds could be recouped.*

*Ms. Scott confirmed that could occur once the new revenue fund is established by not transferring the amount of those funds to the new fund.*

*Mr. Schroth opened the public hearing at 7:03 p.m. There being no public comment, the hearing was closed at 7:03 p.m.*

**A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Holland, to Approve Resolution No. 18-104. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Bob; Commissioner Holland; Vice-Mayor Aliberti; and Mayor Morin

## 18-0298 Resolution No. 18-105: Site Plan with Waivers for Office/Warehouse Buildings - Huffstetler Drive

*Mr. Schroth announced Resolution No. 18-105: A Resolution of the City Commission of the City of Eustis, Florida, approving a site plan with waivers for a 21,600+/- square foot office/warehouse on approximately 1.73 acres located on the south side of Huffstetler Drive and +/- 600 ft. west of Dillard Road.*

*Roland Magyar, Senior Planner, reviewed the proposed site plan with waivers for an office/ warehouse to be located on Huffstetler Drive. He reviewed the requested waivers as follows: 1) Allow Industrial Lot Type in the Suburban Corridor; 2) Allow a 10 ft. rear yard setback instead of 25 ft.; and 3) Waive the canopy and understory tree requirements to the rear property line. He noted that the adjoining use is the cemetery and there would be a 6-foot hedge to provide buffering. He stated staff received one phone call requesting information about the project. He explained the consistency with the strategic plan, the consistency with the intent of the Comprehensive Plan and Land Development Regulations and stated staff's recommendation for approval.*

*Mr. Schroth opened the public hearing at 7:13 p.m.*

*George Asbate expressed support for the project noting a business in Tavares that is looking for a new location.*

*There being no further public comment, the hearing was closed at 7:15 p.m.*

*Commissioner Holland noted it is located next to an historical cemetery and asked them to be good neighbors to the cemetery.*

**A motion was made by Commissioner Holland, seconded by Vice-Mayor Aliberti, to Approve Resolution No. 18-105. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Bob; Commissioner Holland; Vice-Mayor Aliberti; and Mayor Morin

## **18-0302** Resolution No. 18-107: Agreement for Wastewater Treatment Plant Capacity and Bulk Treatment Services with the City of Umatilla

*Mr. Schroth announced Resolution No. 18-107: A Resolution by the City Commission of the City of Eustis, Lake County, Florida; authorizing the Mayor to execute the interlocal agreement between the City of Eustis and the City of Umatilla for wastewater treatment capacity reservation and bulk treatment services.*

*Mr. Neibert reviewed the proposed interlocal agreement as discussed at the joint workshop with the Umatilla City Council. He explained it will save money for Umatilla while providing additional revenue to Eustis and allowing the City to offer economic development opportunities to properties along State Road 19. He added that the Umatilla City Council approved the agreement unanimously.*

*Mr. Schroth opened the public hearing at 7:18 p.m. There being no public comment, the hearing was closed at 7:18 p.m.*

**A motion was made by Commissioner Holland, seconded by Commissioner Bob, to Approve Resolution No. 18-107. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Bob; Commissioner Holland; Vice-Mayor Aliberti; and Mayor Morin

**FIRST READING**

## **18-0304** Ordinance No. 18-31: Comprehensive Plan Text Amendment to the Future Land Use Element Appendix: Non-Residential Mixed-Use Intensities

*Mr. Schroth read Ordinance No. 18-31 by title only on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, amending the City of Eustis Comprehensive Plan 201-2035 pursuant to Section 163.3184 of the Florida Statutes; providing for text revisions to the Future Land Use Element Appendix; assigning incrementally decreasing intensities (floor area ratios) for non-residential and mixed-use land use districts based on design district designation; providing for the repeal of ordinances inconsistent with this ordinance; providing for conflicting provisions; and providing for severability and effective date.*

*Lori Barnes, Development Services Director, explained the request at the October 18th meeting for the Commission to consider changing some of the floor area ratios and cited how the City's existing ratios puts the City at a disadvantage in comparison with other area cities. She stated that the current flat rate does not provide for an incremental decrease which is inconsistent with the stated intent in the Comprehensive Plan. She stated the intent of the amendment to assign a maximum floor area ratio to non-residential and mixed-use land use designations and create companion land development regulations to incrementally decrease intensity from urban to suburban to rural land use districts. She then reviewed the proposed intensities and two footnotes to be added to the table to provide clarification. She also reviewed the proposed companion LDR's to be presented for consideration following approval of the amendment. She presented the proposed intensities with the additional locational limitations and provided a map showing the FAR limitations by design district and locational criteria. She then presented some examples of how the limitations would be enacted. She stated staff's recommendation for approval noting that the amendment would eliminate the competitive disadvantage in relation to maximum development potential, improve internal consistency of the comprehensive plan, direct development to urban and suburban areas, relieve development pressures on the outlying areas, discourage urban sprawl and provide for compatibility and protection of residential neighborhoods.*

*The Commission confirmed the amendment would be transmitted to the State prior to second reading.*

*Commissioner Bob indicated the amendment will send the message that Eustis wants growth but not at any cost. She stated it will look out for the residential neighborhoods.*

*Mr. Schroth opened the public hearing at 7:35 p.m.*

*Tim Green, Green Consulting, stated he is representing several property owners and asked how the 100 feet would be measured with Ms. Barnes responding it would be measured from the property line. She explained it could be a setback or whatever is constructed within that 100 ft. would have to meet the .35 FAR.*

*There being no further public comment, the hearing was closed at 7:37 p.m.*

**A motion was made by Commissioner Holland, seconded by Commissioner Bob, to Approve Ordinance No. 18-31 on First Reading. The motion carried by the following vote:**

**Aye:** 4 - Commissioner Bob; Commissioner Holland; Vice-Mayor Aliberti; and Mayor Morin

## VIII. OTHER BUSINESS

### 18-0300 Acceptance of 2018 City Commission Election Results and Results of Charter Amendment Referendum

*Commission Holland announced he would abstain from voting since his name was on the ballot.*

**A motion was made by Commissioner Bob, seconded by Vice-Mayor Aliberti, to Approve the results of the 2018 City Commission Election and Charter Amendment Referendum as canvassed by the Lake County Canvassing Board. The motion carried by the following vote:**

**Aye:** 3 - Commissioner Bob; Vice-Mayor Aliberti; and Mayor Morin

**Recused:** 1 - Commissioner Holland

### 18-0301 Cancellation or Rescheduling of December 20, 2018, regular Commission meeting

*Mr. Neibert indicated there are no pending land use or purchasing issues of a time sensitive nature. Therefore, the Commission could cancel the meeting if they so desire.*

**A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Holland, that the December 20, 2018, regular City Commission meeting be cancelled. On a voice vote, the motion passed unanimously.**

# IX. FUTURE AGENDA ITEMS

*Commissioner Holland noted he had received a call Saturday after the murder and spoke with a lot of the residents. He requested to hold a community meeting to look at the issues and suggested the City may need to ask the Sheriff to help with enforcement. He suggested holding a community workshop or meeting after the first of the year. He expressed support for holding a meeting with the Lake County Fair Board to find out what their needs and challenges are. He commented on the challenges for Public Works and emphasized the need to address those challenges.*

# X. COMMENTS

## City Commission

*Commissioner Holland complimented staff on the Light Up Eustis event and cited the City employees and residents in the audience who recently received Community Service Awards from the Chamber of Commerce. He also reported that, following the comments on social media, Lake County had begun cleaning up Orange Avenue.*

*Mr. Neibert recommended inviting the Lake County Fair Board to attend the January 3rd Commission meeting to discuss their relocation plans.*

*Mayor Morin noted the City didn't know about the fairgrounds issue until the last workshop when Commissioner Campione discussed the issue. He asked that concerned individuals encourage residents to attend the community meetings to provide input.*

*Commissioner Bob commented on why the City doesn't get the needed participation at community meetings. She stated Eustis Heights Elementary has 12 self-contained units while Eustis Elementary only has one. She commented on the lack of participation due to parents having low income jobs with long hours. She stated they can't volunteer as they don't have the economic ability. She assured the Commission of her plans to continue to be involved in the community. She agreed that the City has allowed others to take from Eustis and the City needs to say "no more". She commented that the City can't attract people to Eustis without quality schools; therefore, they need to work to fix the schools.*

## City Manager

*Mr. Neibert informed the Commission of an emergency expenditure of $75,000 to repair a failed sewer line. He stated staff will be bringing forward a budget adjustment for that expenditure. He reported on a meeting held with Eustis High School including the Police Chief and they will be bringing forward a safe schools report. He then noted his previous suggestion to hold a Commission retreat to discuss a variety of issues and cited the need to address police salary levels.*

## City Attorney

*Mr. Schroth reported there is a growing trend of disabled persons suing government entities for websites not being ADA compliant. He stated that the City is ahead of the trend and its website is compliant.*

## Mayor

*Mayor Morin opened the floor back to public comment.*

*Darius Kerrison commented on the fear of people coming out when there are people on the street with guns. He stated if poverty exists, you have to support your family somehow. He indicated that it is a generational issue. He commented that the City and residents may not have the answers* *but they can make the community feel more at ease through communication. He stated he would do his part to try and get people to participate.*

*Mayor Morin commented on how the available funding from the federal and state governments has slowed down drastically. He emphasized that state government has not been responsive to local needs. He commented on how the funds have been taken and re-allocated and the lack of local funding for social services. He emphasized the need to get assistance from state leadership.*

*Mr. Kerrison commented on the lack of understanding in the community and the number of people in that area that can't read and write.*

*Commissioner Bob complimented staff on the Light Up event.*

*Commissioner Holland thanked Commissioner Bob for her service to the community and stated his pleasure in working with her.*

## XI. ADJOURNMENT - 8:05 p.m.

Mary C. Montez

MARY C. MONTEZ, City Clerk

Mayor/Commissioner

*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.