



City of Eustis, Florida

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

Meeting Minutes – Final* City Commission

Thursday, May 3, 2018

6:00 PM

City Hall

INVOCATION: Pastor Renee Hill, W.I.N.1 Ministries

PLEDGE OF ALLEGIANCE: Vice Mayor Aliberti

CALL TO ORDER: Mayor Morin - 6:04 p.m.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

Present: 3 - Commissioner Linda Bob; Vice-Mayor Marie Aliberti; and Mayor Robert Morin

Absent: 1 - Commissioner Carla Gnann-Thompson

I. AGENDA UPDATE - None

II. APPROVAL OF MINUTES

18-0104 April 19, 2018 - Regular City Commission Meeting

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

III. PRESENTATIONS

18-0108 Proclamation declaring May 3, 2018, as Evelyn Smith Day

Mayor Morin expressed condolences to the family of former City Commissioner/Mayor Evelyn Smith and presented her family with a proclamation declaring May 3, 2018, as Evelyn Smith Day.

18-0105 Proclamation declaring May 12, 2018, as "Stamp Out Hunger" Food Drive Day

Mayor Morin declared May 12, 2018, as "Stamp Out Hunger" Food Drive Day in the City and presented a proclamation to Shune Ulbin representing the Eustis Post Office letter carriers.

18-0106 Summary of Parramore Kidz Zone Program

Bill Howe, Human Resources Director, provided an overview of the Parramore Kidz Zone program as requested by the Commission. He explained the funding for the program, the amount of staff and the individual programs offered. He then provided an overview of the youth programs offered by the City's Parks and Recreation Department and the Eustis Memorial Library. He noted that the Library will be offering a coding class, resume writing class, job application and computer classes. He then cited the free programs offered by the City's Police Department. He added that the Police Department will be adding a Teen Police Academy for youth 14 to 18 years of age.

The Commission commented on the ratio of Parks & Recreation employees by race with Mr. Howe reviewing the City's EEOP report and comparing the City's ratio with the population ratio.

The Commission commented on past hiring practices, the need to show the local youth that the City cares, the levels of pay and the need to nurture the local young people.

Ron Neibert, City Manager, suggested staff to meet with the food program organizations regarding establishing a summer feeding program and how the City can assist and the Commission concurred. It was noted that the City does not have an umbrella non-profit to coordinate such programs.

Mr. Neibert cited Lake Community Action Agency noting that they lost a significant amount of funding when they lost Headstart. He cited the possibility of working with them to develop some programs. He then noted that the City has a bus and could offer a "ride to the library" program to get the youth to the library and then develop some programs along with a feeding program.

The Commission commented on the use of census data in determining EEO requirements, the need to have programs and assistance for youth, the possibility of not charging fees for some recreation programs, the opening of the splash park, and the need for summer programming.

IV. AUDIENCE TO BE HEARD

Daniel DiVanzo addressed the Commission regarding his renovation of the former Lake Eustis Foundation building and invited the Commission and audience to attend the open house. He then announced that he has entered into a new business venture at the old marina near Sharp's Park.

Tom Camino reported on the upcoming City events: 1) May First Friday on May 4th; and 2) the Downtown Cruise-In Classic Car Show on May 26th. He added that staff is working on the Independence Day events.

Mayor Morin complimented staff on the Music Fest and encouraged residents to come out to the First Friday events.

Vice Mayor Aliberti noted a large number of positive comments she had received during the event and concurred with the need for higher attendance.

V. CONSENT AGENDA

18-0101 Resolution No. 18-32: Award of Bid No. 005-18 - Three Lakes Subdivision Waterline Replacement

18-0103 Canceling or Rescheduling of August 16, 2018 Regular City Commission Meeting

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

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

VI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

18-0102 Resolution No. 18-33: Revenue Sharing Agreement for Proposed Gasoline Tax Increase

Derek Schroth, City Attorney, announced Resolution No. 18-33: A Resolution by the City Commission of the City of Eustis, Lake County, Florida; authorizing the Mayor to execute an amended interlocal agreement between the City, Lake County, Florida, and other participating municipalities relating to Local Option Fuel Tax.

Ron Neibert, City Manager, explained the County had approved to place on the November ballot a referendum to add an additional 5 cent local option fuel tax. He further explained that the revised interlocal agreement needed to be approved prior to June 1st.

Mr. Schroth opened the public hearing at 6:45 p.m. There being no public comment, the hearing was closed at 6:45 p.m.

A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Bob, to Approve Resolution No. 18-33. The motion carried by the following vote:

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

VII. OTHER BUSINESS

18-0107 Lake Gracie Demucking and Sand Beach

Rick Gierok, Public Works Director, presented a feasibility report regarding the proposed demucking of Lake Gracie and construction of a public beach. He explained the estimated volume of muck to be removed to obtain a water depth of 20 feet at that time was 35,000 cubic yards. He stated the City does own some right-of-way however the water side is privately owned with Mr. Neibert stating that recent title work indicates the City only owns approximately 135 feet of shoreline.

Mr. Gierok stated that for the lake to be used as a swimming area would require the lake to be fully demucked to at least 20 feet. He stated construction cost estimates were done for several scenarios including bringing in white sand for the beach. He reviewed the cost estimates for removal as follows: 1) Excavate up to 20' depth - \$14,600,000; 2) Excavate up to 10' - \$9,160,000; and 3) Excavate up to 5' - \$4,273,610. He then provided an overview of an estimated special assessment tax City wide based on the excavation of only 5' of muck as follows: 1) For a taxable value of \$25,000 the tax would be \$14.06 with a 10-year payout and \$8.36 per year for a 20-year payout; and 2) For a taxable value of \$400,000 the tax would be \$225 per year for 10-years or \$134 per year for 20-years.

Mr. Gierok then noted that residents also were discussing the construction of a walking/bike trail around the lake. He estimated the cost for a 4,650 foot 8' wide concrete walkway at \$185,000. He stated that would not include any easement and/or land acquisition costs with the majority of the property between the waters edge and Lake Gracie Drive being privately owned or owned by the State of Florida.

Mr. Neibert commented on the possibility of the City seeking funding from the state and the Lake County Water Authority. He noted that Governor Scott has been reluctant to fund local projects with state dollars.

Commissioner Bob expressed support for seeking state and grant funding.

Mayor Morin opened the floor to public comment at 7:01 p.m.

The following individuals addressed the Commission in support of the project: 1) William Zeller; 2) Daniel DiVenanzo; 3) Don Steams; and 4) Tully Patrowicz.

George Asbate expressed opposition to using City funds for the lake and encouraged the residents to band together and pay for it themselves.

The Commission confirmed that the Lakeview project is still planned to runoff into Lake Gracie with Mr. Gierok explaining that the problem isn't the pollutants from the roadway it is the fertilizer and phosphates from the lawns. He noted that the City passed an ordinance to reduce those pollutants.

The Commission commented on the number of residents that do not attend the Commission meetings and the possibility of beautifying the area even if the lake can't be restored.

Jessica and Darrell Coggin addressed the Commission regarding other methods to maintain the area and improvements that can be made besides demucking.

The Commission expressed support for the Friends of Lake Gracie reforming, possibly holding some workshops about what can be done, volunteers assisting with beautifying the lake, making improvements less expensively and possibly constructing a walking path.

Mr. Neibert asked for a show of hands of those who actually own shoreline and who would be willing to give an easement for a path with an unidentified lady stating they would want to be indemnified so they could not be sued.

Elsie Cruise expressed concern that the City doesn't maintain its share of the shoreline.

Harry Crook presented to the City a permit for the cleaning of Lake Gracie.

Carol Link expressed support for saving the lake.

Mr. Neibert explained that the document presented was a permit for spraying the lake for aquatic management.

Sean Jenness expressed concern about the possibility of swimming in the lake due to amoebas and infections. He suggested determining the amount of property taxes coming out of the Lake Gracie area and noted that wetlands are beneficial to help filter pollutants from the lake.

Mr. Neibert encouraged the Friends of Lake Gracie to contact him once they reform so the City can work with them.

18-0109 Process for Appointment of Interim City Commissioner, Seat #2

Mayor Morin explained the need to identify an appropriate individual to serve as an Interim Commissioner. He presented the following prepared statement:

What would I be looking for in an interim commissioner? I. An indisputable proof of residency, not conveniently interpreted by other Lake County elected officials definition of residency. It should show the applicant's primary physical residence along with proof of voter registration in the City of Eustis. II. The qualified candidate should have a level of maturity commensurate with the responsibilities of governing with work experience at a supervisory/manager level of experience or just any credible work experience will do for me. III. Along with a high level of maturity, an acumen (astuteness) for governing in a political environment including a keen understanding of the legislative, executive and judicial responsibilities in city/municipal government. IV. An enthusiastic awareness of his/her role in the governing process who can also exhibit civility, mutual respect, a right for others to voice opinions without interruptions, or disruptions. V. Commissioners who will be aware of and remember that your body language is all telling. VI. A commissioner needs to be aware that any distractions such as shuffling of papers, packing up your laptop, while the commission is still in session discount the very work of governing. VII. One who be attentive to the speakers especially your fellow colleagues/commissioners. VIII. An interim commissioner should have strong listening skills, demonstrated by paying full attention to the discussion and the speakers even though social media from laptops and smart phones are your way of communicating your opinion or policy. IX. Use social media as intended. Refrain from impugning your fellow commissioners and staff. X. Show a true willingness to hear the discussion and be respectful of others' desire to be heard. XI. Know when it is your responsibility to recuse yourself from any vote where you may have a vested interest, such as a campaign contribution seemingly tied to pending action coming before the commission. XII. A commissioner should have an understanding of the damage vile quips, religious and or political platitudes, name calling and the spread of false news has on a city's image and that of his/her colleagues. It only breeds discontentment for the law and for the rules and regulations that Eustis residents expect from its elected commissioners. XIII. Remember that commissioners are not above the law. Your Oath of office, the City's Charter and our Commission's Governance Guide should be

your mantra, taken seriously and defended as we select you as our peer on the City Commission. Don't pick and choose rules that fit your need, but rather choose rules that fit your community. XIV. One last thought - As you apply to become a commissioner you will also become more susceptible to prevailing political national trends. Remember that national political trends come and go and municipalities are constant providing government closest to the people. Preserve Home Rule. Respect that Oath of Office and be faithful to your city. And remember that your personal opinion does not supersede your practicing good governance.

Mr. Neibert announced that there is now a vacancy in Seat #2 which term is scheduled to end December 31, 2018. He indicated the seat would be up for a four-year term at the November election. He stated staff's recommendation that the Commission accept applications from 8 a.m. Monday, May 14th through 5 p.m., Friday, May 18th with a special meeting to be scheduled sometime in the following week to conduct interviews. He stated that advertisements would be placed with local media and the City Clerk would verify the applicant qualifications per the current charter requirements. He noted that criminal background checks would be conducted on all applicants. He reviewed the process previously used for the interviews and selection of the interim commissioner. He recommended that the Commission utilize the same process.

The Commission discussed the residency requirement and how it could be confirmed with Mr. Schroth indicating that the Commission would have full discretion regarding who to appoint.

A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Bob, that the process for appointment of an interim commissioner be approved. On a voice vote, the motion passed unanimously.

VIII. FUTURE AGENDA ITEMS - None

IX. COMMENTS

City Commission

Vice Mayor Aliberti commented that the Commission's role is to set policy not to provide day to day supervision which is left to the City Manager and the department heads. She expressed agreement with the Mayor's list of desired qualifications. She noted that the Commission is nonpartisan and emphasized the need for the Commission to only address the overall City issues as fairly and impartially as possible.

City Manager

Mr. Neibert reported on the new project being undertaken by Mr. DiVenanzo. He stated that there is adjacent right-of-way and a small parcel owned by the City and Mr. DiVenanzo has asked to purchase the property. He stated that the City has had the parcel appraised and his offer is in line with the appraisal. He further explained the City could sell its parcel and its interest in the right-of-way. He asked for the Commission's consensus to have a formal offer on the next agenda. He stated the property is approximately 3000 sq.ft.

Mayor Morin expressed concern with the need to have the information on the next agenda and discuss whether or not the City needs to advertise the property for sale before selling.

CONSENSUS: *It was a consensus of the Commission for staff to have information about the property on the next agenda.*

City Attorney - None

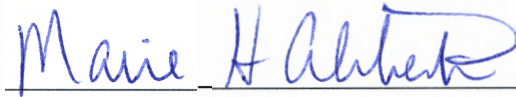
Mayor

Mayor Morin cited an article in the Orlando Sentinel by Scott Maxwell and recommended to the audience that they read it.

Vice Mayor Aliberti announced the Memorial Day event would be held in Ferran Park.

X. ADJOURNMENT - 8:02 p.m.

MARY C. MONTEZ
City Clerk



MARIE H. ALIBERT
Acting 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.