APPROVED: 4/5/2018

City of Eustis, Florida

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

Meeting Minutes – Final*
City Commission

Thursday, March 15, 2018 | **6:00 PM** | **City Hall**

INVOCATION: Mike Swanson, Fire Chief

PLEDGE OF ALLEGIANCE: Commissioner Gnann-Thompson

CALL TO ORDER: Mayor Morin

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

Present: 5 - Commissioner Linda Bob; Commissioner Carla Gnann-Thompson; Commissioner Anthony Sabatini; Vice-Mayor Marie Aliberti; and Mayor Robert Morin

I. AGENDA UPDATE - None

II. APPROVAL OF MINUTES

18-0079 February 12, 2018 - City Commission Workshop
February 22, 2018 - City Commission Workshop
March 1, 2018 - Regular City Commission Meeting

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

III. PRESENTATIONS

18-0072 Presentation on Eustis Recreation Department Programs

Joe LaPolla, Parks & Recreation Director, provided a report on the City's recreation department and presented a video highlighting the City's programs.

The Commission and staff discussed the state of the School Board-owned fields and what the City could do to assist. Discussion was also held regarding the possibility of the City's Parks and Recreation scholarship funds being used to assist City children in participating in programs other than just City programs. It was noted that the children also need assistance with transportation in order to participate.

IV. AUDIENCE TO BE HEARD

William Zeller expressed concern regarding the difficulty in identifying veteran's graves at the Mt. Olive Cemetery due to the grave stones sinking into the sand and getting too difficult to read. He stated the American Legion is looking for volunteers to help them improve the grave stones and indicated they are not asking for money and would work on all of the stones not just veterans. He asked that the City consider helping them with equipment such as ground penetrating radar

Following discussion, it was a consensus of the Commission to have staff contact the cemetery oversight committee to determine what the City might be able to do to assist.

Tom Carrino, Economic Development Director, provided an overview of the upcoming events including the 2018 Busker Festival, March Downtown Cruise-in, April First Friday, Amazing Race for Charity, and Eustis Music Fest and Bikefest.

V. CONSENT AGENDA

18-0073 Reappointment to the Lake-Sumter MPO Bicycle and Pedestrian Advisory Committee (BPAC) - Lori Barnes

A motion was made by Commissioner Sabatini, seconded by Commissioner Gnann-Thompson, that the Consent Agenda be Approved. On a voice vote, the motion passed unanimously.

VI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

18-0057 Resolution No. 18-03: Final Subdivision Plat Approval for the Cobb Commerce Park Subdivision (E. CR 44 and Hicks Ditch Road)

Derek Schroth, City Attorney, announced Resolution No. 18-03: A Resolution of the City Commission of the City of Eustis, Florida; approving a final subdivision plat for the Cobb Commerce Park Subdivision, an eight lot commercial/industrial subdivision, on approximately 30.8 +/- acres located at East CR 44 and Hicks Ditch Road.

Roland Magyar, Senior Planner, explained the applicant's request to postpone consideration of Resolution No. 18-03 until April 19, 2018.

A motion was made by Commissioner Gnann-Thompson, seconded by Commissioner Sabatini, to approve postponement of Resolution No. 18-03 to the April 19, 2018 Commission agenda. The motion carried by the following vote:

Aye: 5 - Commissioner Bob; Commissioner Gnann-Thompson; Commissioner Sabatini; Vice-Mayor Aliberti; and Mayor Morin

18-0074 Resolution No. 18-22: Site Plan with Waivers - Lemon-Ward Self Storage

Mr. Schroth announced Resolution No. 18-22: A Resolution of the City Commission of the City of Eustis, Florida; approving a site plan with waivers for the construction of a self-storage building on approximately 0.57 acres located on Morin Street between Lemon and Ward Avenues.

Mr. Magyar reviewed the proposed site plan for a self-storage facility and explained the requested waivers as follows: 1) Architectural relief on walls over 60 ft. long; 2) Required three building design features for visual relief; and 3) Required storefront character. He stated the property has a future land use designation of General Commercial (GC) and a design district designation of Urban Corridor (UC). He stated the site plan is consistent with the Land Development Regulations. He indicated the requirements requested for waiver are primarily for the main corridor areas and this is located off of the main corridor. He stated staff's recommendation for approval with the requested waivers.

Mr. Schroth opened the public hearing at 7:30 p.m. There being no public comment, the hearing was closed at 7:30 p.m.

Mayor Morin confirmed that there would be landscaping with Mr. Magyar reviewing the landscaping on the site plan.

A motion was made by Commissioner Gnann-Thompson, seconded by Commissioner Sabatini, to Approve Resolution No. 18-22. The motion carried by the following vote:

Aye: 5 - Commissioner Bob; Commissioner Gnann-Thompson; Commissioner Sabatini; Vice-Mayor Aliberti; and Mayor Morin

SECOND READING

18-0065 Ordinance No. 18-07: Voluntary Annexation - 37136 SR 19

Commissioner Gnann-Thompson announced she was leaving the meeting to attend the viewing of Juanita Talmage.

Mr. Schroth read Ordinance No. 18-07 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida; voluntarily annexing approximately 5.82 acres of real property located at 37136 N. SR 19, Eustis, FL.

Mr. Schroth opened the public hearing at 7:31 p.m. There being no public comment, the hearing was closed at 7:31 p.m.

A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Bob, to Adopt Ordinance No. 18-07 on second reading. The motion carried by the following vote:

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

18-0066 Ordinance No. 18-08: Comprehensive Plan Amendment - Small Scale Future Land Use Map Amendment - 31736 SR 19

Mr. Schroth read Ordinance No. 18-08 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 5.82 acres of recently annexed real property located at 37136 N. SR 19 from Urban Low in Lake County to General Industrial (GI) in the City of Eustis.

Mr. Schroth opened the public hearing at 7:32 p.m. There being no public comment, the hearing was closed at 7:32 p.m.

A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Sabatini, to Adopt Ordinance No. 18-08 on second reading. The motion carried by the following vote:

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

18-0068 Ordinance No. 18-09: Design District Assignment - 37136 SR 19

Mr. Schroth read Ordinance No. 18-09 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Corridor design district designation to approximately 5.82 acres of recently annexed real property located 37136 N. SR 19.

Mr. Schroth opened the public hearing at 7:33 p.m. There being no public comment, the hearing was closed at 7:33 p.m.

A motion was made by Commissioner Sabatini, seconded by Vice-Mayor Aliberti, to Adopt Ordinance No. 18-09 on second reading. The motion carried by the following vote:

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

FIRST READING

18-0075 Ordinance No. 18-10: Conditional Use Permit for Accessory Apartment - 801 W. Woodward Avenue

Mr. Schroth read Ordinance No. 18-10 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving a Conditional Use Permit for an accessory apartment in the Suburban Residential (SR) Land Use District on approximately 0.172 acres located at 801 W. Woodward Avenue.

Mr. Magyar reviewed the requested Conditional Use Permit for an accessory dwelling unit at 801 W. Woodward Avenue. He presented the proposed site plan for a two-story structure with a ground floor garage and an 800 sq.ft. apartment on the second floor. He reviewed the related land development regulations and staff's analysis of the request. He indicated that the structure would be automatically allowed if it was only for family use rather than the planned apartment. He stated staff's recommendation for approval.

The Commission confirmed the size of the lot is 0.172 acres and that the structure was planned for a family member to use the apartment with Mr. Magyar indicating that it could also be rented out.

Mr. Schroth opened the public hearing at 7:40 p.m. There being no public comment, the hearing was closed at 7:40 p.m.

A motion was made by Commissioner Bob, seconded by Commissioner Sabatini, to Approve Ordinance No. 18-10 on First Reading. The motion carried by the following vote:

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

VII. OTHER BUSINESS

18-0076 Discussion on Development Incentive Program (Utility Impact Fee Waiver)

Mr. Neibert explained that staff previously proposed that the City offer development incentives for annexation to include impact fee waivers. He stated that staff is working on the details for that program and while working on that questioned whether or not the impact fee waivers should be provided for infill development as well. He stated that the Water & Sewer Fund is adequate to provide impact fees for over 4,000 dwelling units. He stated that staff is asking if the Commission wants to consider waiving impact fees for current undeveloped properties already within the City. He stated it would make the program more equitable and would encourage in-City development.

CONSENSUS: It was a consensus of the Commission for staff to include the undeveloped in-City properties as part of the development incentive program for the waiver of utility impact fees.

VIII. FUTURE AGENDA ITEMS

Commissioner Sabatini expressed support for increasing the amount of the gateway corridor grants. He asked staff to look at increasing the City's amount in the next budget year with Mr. Neibert indicating staff would present information about increasing that program during the budget process.

Mayor Morin asked about the Teems LLC offer regarding a deed in lieu of foreclosure.

Mr. Schroth explained they declined that offer due to the amount of funds they have already expended and they asked how much the City would be willing to reimburse. He indicated a lien search showed there are no further encumbrances on the property; however, they have not paid the taxes for the past two years so if the City forecloses it would have to pay those taxes.

Mayor Morin stated he also looked it up and the taxes due total about $4,000; however, they also owe about $28,000 in past due taxes on other properties in the City.

Mr. Schroth read the response from Mrs. Teems which stated they have incurred the following expenses on the property: 1) $36,856 for mortgage payments; 2) $1,100 for engineered plans; 3) $5,967 for two years of a vacant building and a remodel phase for insurance; and 4) $1,274 *for water that is not turned on yet for a total of $44,197.48. She asked him to advise what the City is willing to do.*

The Commission discussed the issue with Mr. Neibert asking Mr. Schroth what it would cost the City to foreclose. He indicated the only thing he would support reimbursing would be a portion of the mortgage payment if it were financially prudent.

Commissioner Bob noted that foreclosure might take a long time and the City would have to pay the taxes in the interim. She expressed support for getting out of the contract as soon as possible.

Mayor Morin noted the contract requires Teems to pay any legal costs for foreclosure.

Mr. Schroth confirmed that the principals are personally liable not just the LLC.

CONSENSUS: It was a consensus of the Commission to not accept the offer, to ask them once again to accept the deed in lieu of foreclosure and, if they decline, for the City to proceed with the foreclosure with Commissioner Bob expressing concern regarding the amount of time it will take to foreclose and asking to postpone a decision until there is a full Commission.

CONSENSUS: It was a consensus of the Commission to give them 30 days to respond.

IX. COMMENTS

City Commission

Commissioner Bob reported on the HUD meeting at the Mount Dora Library. She stated they will be looking at the housing needs in the area. She stated she also attended the meeting regarding the new roads coming in the Sorrento area.

City Manager

Mr. Neibert asked to have a closed session at 5:15 p.m. on April 5th regarding collective bargaining. He explained this would be an initial meeting to discuss negotiation strategies.

CONSENSUS: It was a consensus of the Commission to schedule the closed session as requested.

City Attorney

Commission Sabatini asked for a clarification from the City Attorney regarding the timeline for the Sharp's Park resident relocation and reimbursements with Mr. Schroth indicating he would send out the information.

Mayor Morin commented on the Sharp's Park project being a new type of project for the Community Redevelopment Agency with Commissioner Sabatini congratulating staff on the project. He expressed support for trying to do similar projects in the center of the district and in the east.

Mayor - None

X. ADJOURNMENT

Mary C. Montez

MARY C. MONTEZ
City Clerk

Robert R. Morin Jr.

ROBERT R. MORIN, JR.
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.