



City of Eustis, Florida

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

Meeting Minutes – Final* City Commission

Thursday, October 19, 2017

6:00 PM

City Hall

INVOCATION: Moment of silence

PLEDGE OF ALLEGIANCE: Commissioner Bob

CALL TO ORDER: Mayor Morin - 6:02 p.m.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

Present: 4 - Commissioner Linda Bob; Commissioner Carla Gnann-Thompson; Vice-Mayor Marie Aliberti; and Mayor Robert Morin

Absent: 1 - Commissioner Anthony Sabatini (called up for National Guard duty)

I. AGENDA UPDATE

Ron Neibert, City Manager, announced that the "other business" item concerning dollar thresholds to come before the Commission was being pulled and would be placed on a future agenda.

II. APPROVAL OF MINUTES

16468 September 20, 2017, - ISBA Joint Public Meeting and
October 5, 2017 - 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

16466 Presentation of Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for fiscal year ended September 30, 2016

Colleen Scott, Finance Director, presented to the Commission the Government Finance Officers Association Certificate of Excellence in Financial Reporting for the CAFR for the period ending September 30, 2016. She noted this was the 29th year the City had received the award. She commented on recent changes in requirements for inclusion in the CAFR.

The Commission asked about how roads were valued with Public Works Director Rick Gierok explaining how those values are determined based on the number of miles of roads and condition of the roads. Mr. Neibert further explained the figures are used for future budgetary purposes.

IV. AUDIENCE TO BE HEARD

Sam Chapin, Eustis Sailing Club, announced they would be holding their annual Youth Regatta that weekend with approximately 60 boats.

Erin Bailey, Events Coordinator, reviewed the upcoming City events as follows: 1) Fall Festival in cooperation with Victory Church and featuring a "pumpkin" train; 2) The Polar Express train; 3) November First Friday on Nov. 3rd; and 4) 2018 Georgefest to be held Feb. 23 - 25.

V. CONSENT AGENDA

16464 Resolution No. 17-67: Approval of Annual Purchases in Excess of \$50,000

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

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

VI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

SECOND READING

16454 Ordinance No. 17-14: Amendment to Chapter 90 "Traffic and Vehicles" regarding Parking Enforcement

Derek Schroth, City Attorney, read Ordinance No. 17-14 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending the Eustis Code of Ordinances, Chapter 90 "Traffic and Vehicles"; providing for severability; providing for codification; providing an effective date.

Mr. Schroth opened the public hearing at 6:19 p.m. There being no public comment, the hearing was closed at 6:19 p.m.

A motion was made by Commissioner Gnann-Thompson, seconded by Vice-Mayor Aliberti, to Adopt Ordinance No. 17-14 on second reading. The motion carried by the following vote:

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

16452 Ordinance No. 17-15: Implementing a Service Charge for Additional Utility Pollings

Mr. Schroth read Ordinance No. 17-15 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending Chapter 94 "Utilities" and adding Section 94-262 (n) "Service Charge for Additional Pollings" to the Code of Ordinances for the City of Eustis; providing for severability; providing an effective date.

Mr. Schroth opened the public hearing at 6:20 p.m. There being no public comment, the hearing was closed at 6:20 p.m.

A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Gnann-Thompson, to Adopt Ordinance No. 17-15 on second reading. The motion carried by the following vote:

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

FIRST READING

16465 Ordinance No. 17-16: Conditional Use Permit to allow up to 40 dwelling units per acre on property bordered by Grove St., Bates Ave., Eustis St., and Hazzard Ave.

Mr. Schroth read Ordinance No. 17-16 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving a Conditional Use Permit to allow development with a density of up to 40 dwelling units per acre (dua) in the Central Business District Land Use

District on approximately 1.80 acres located between Grove Street, Bates Ave., Eustis St. and Hazzard Ave.

Roland Magyar, Senior Planner, explained the request was for a conditional use permit to allow up to 40 duu outside the core area of the Central Business District. He stated this is strictly about the conditional use as it goes with the land and does not approve any specific project. He explained there is a developer who wishes to place a 55+ affordable housing project on the site and that concept plan will be presented on November 2nd. He stated the decision for consideration is whether or not 40 duu is appropriate for the site. After reviewing the details of the request, he stated staff's recommendation for approval noting he had received one phone call asking for clarification and one email in opposition to the development.

Mr. Schroth opened the public hearing at 6:30 p.m.

Jesse Wozppel and Mac Ross, representing the Richmond Group, stated they were present to answer any questions regarding the housing project.

The following individuals expressed opposition to the density change: 1) Stephanie Carder; 2) George Asbate; and 3) Sue Hooper.

Tom Hofmeister, Chairman of Lake Community Foundation, expressed support for the density change citing the need to get those properties back on the tax roll and noting the benefit to the downtown businesses with approval of the higher density.

Lori Barnes, Development Services Director, explained that the comprehensive plan requires a CUP to increase the density outside the downtown core. She further explained that prevented staff from presenting to the Commission the project with a density waiver included as the comprehensive plan segregates the approval process. She added that is why the conditional use was brought to the Commission prior to the concept plan as the CUP requires two readings. She stated the resolution to actually consider the future project on the site would be on November 2nd. She cited discussion held in December regarding the update to the Land Development Regulations, the possibility of codifying the former Eustis Main Street design regulations and the area the Commission indicated they wanted to have as mandatory mixed use. She stated the subject property is not within that mandatory zone. She explained that, under the existing land use regulations, the site may be developed as commercial, residential or mixed use.

The Commission discussed the following: 1) the upcoming project being for couples and not families; 2) lack of impact on the schools; 3) probable increased traffic to the library and the downtown businesses; 4) looking at the long-term impact and not just the immediate future; 5) the density for the downtown Foundation properties; 6) lack of people frequenting the downtown area and the difficulty new businesses have in succeeding in the downtown; 7) whether or not an affordable housing project would provide additional visitors to the downtown; 8) holding a planning meeting to discuss the types of uses needed in the downtown; 9) the potential for developing a marina on the lakefront; and 10) whether or not the proposed project could be developed with retail on the bottom and residential above.

Mr. Wozppel, Richmond Group, explained that having 72 units within walking distance could draw more retail to the downtown area. He offered to go ahead and review their concept plan and expressed concern that the project was being discussed rather than the proposed density for the site. He cited their company's experience within the state, the difference between tax credit units and market price units, how the project would be managed, and the benefit to the City through higher ad valorem taxes and higher impact fees through the higher densities. He again emphasized that the subject for consideration was the density bonus, not the project.

Mr. Ross reiterated the hearing was about the density not the tax credit project and cited the possibility of litigation if it appears the City is opposed to any affordable housing development.

Todd Drennan, an architect living on Silver Lake, commented on how Eustis was developed and stated that the only way to revitalize walking communities is to bring people in with higher densities. He emphasized that he is not affiliated with the developer. He added that the Commission would only be giving permission for the site to have the higher density, not approving their project. He stated that new businesses count rooftops and the number of people in an area when considering whether or not to open in an area.

Robert Orswich, real estate developer, stated he is hearing conflicting statements. He noted he has come to the City's events and noted the lack of attendance. He stated that the Commission's actions could stifle development.

Glenn Tyre commented on the perception of Eustis in the development community as being against growth due to the previous moratorium put on building which hurt the City. He stated there is a need in the City for 55+ affordable housing but it doesn't need to be downtown. He added that the property should be used for office or retail.

Craig Gronden, owner of Grove Square shopping center and a general contractor, stated he has been working on improving the property. He stated he did not believe the proposed complex would be beneficial to his shopping center.

There being no further public comment, the hearing was closed at 7:17p.m.

The Commission discussed how to proceed with Mr. Neibert explaining the ordinance only applies to the density of the property and whether that is appropriate for the property not for the specific project. He noted that staff's recommendation was for approval due to the proposed density being consistent with the comprehensive plan and land development regulations. He further explained that the density would only pertain to the number of residential units and would not pertain if the property were to be developed as commercial.

Ms. Barnes explained that the current land use allows residential, commercial, mixed use and light manufacturing such as a brewery.

The Commission asked Mr. Schroth if they would be leaving themselves open for a lawsuit in the event they deny the CUP.

Mr. Schroth responded that the Commission has discretion as to whether or not to allow a CUP. He then noted that Ordinance No. 10-07 requires the Commission to take a straw poll in the event of a curable absence and to consider postponing if there is not a majority either for or against. He then conducted a straw poll of the Commission in favor of passing the ordinance. The straw poll resulted in a 3 to 1 vote against the ordinance.

A motion was made by Vice-Mayor Aliberti, seconded by Mayor Morin, to Approve Ordinance No. 17-16 on First Reading. The motion failed by the following vote:

Aye: 1 - Vice-Mayor Aliberti

Nay: 3 - Commissioner Bob; Commissioner Gnann-Thompson; and Mayor Morin

16467 Ordinance No. 17-17: Amendment to Sections 102-12, 102-16, 102-21.1, 102-30 and 115-6.1.2 of the Land Development Regulations

Mr. Schroth read Ordinance No. 17-17 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending Chapter 102 – Administration and Enforcement, Sections 102-12, 102-16, 102-21.1 and 102-30, and Chapter 115 – General Building and Site Standards, Section 115-6.1.2, of the Land Development Regulations, to clarify language and eliminate conflicting provisions; providing for codification, severability and an effective date.

Ms. Barnes reviewed the requested amendments to Chapters 102 and 115 of the Land Development Regulations in order to clarify some language and eliminate inconsistencies in the City's comprehensive plan and strategic plan. She stated staff's recommendation for approval.

Mr. Schroth opened the public hearing at 7:36 p.m. There being no public comment, the hearing was closed at 7:37 p.m.

Mr. Schroth conducted a straw poll on Ordinance No. 17-17 with all Commissioners indicating they were in favor of the ordinance.

A motion was made by Commissioner Bob, seconded by Commissioner Gnann-Thompson, to Approve Ordinance No. 17-17 on First Reading. The motion carried by the following vote:

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

VII. OTHER BUSINESS

16470 Consideration of Reducing the Price Threshold for Items Brought to the Commission

This item was postponed to a future agenda due to the absence of Commissioner Sabatini who had requested the discussion.

VIII. FUTURE AGENDA ITEMS - None

IX. COMMENTS

City Commission

The Commission discussed the possibility of Puerto Rico residents moving to the area due to Hurricane Maria and enrolling children in the schools with Commissioner Bob indicating that the schools will be accepting any information due to the lack of available information and Vice Mayor Aliberti noting that approximately 400 students had been enrolled each in Orange and Osceola Counties.

Commissioner Bob stated she noticed the City was still picking up storm debris with Mr. Neibert reporting that the first round of debris pickup would be completed on Friday. He explained that staff would be sending out a notice to the public for them to call the City if they have brush left over and then the City would go out and pick up the debris. After that, they will go back to normal pick up procedures.

City Manager - None

City Attorney

Mr. Schroth provided an overview of how the ordinance pertaining to straw polls and curable absences was enacted.

Mayor

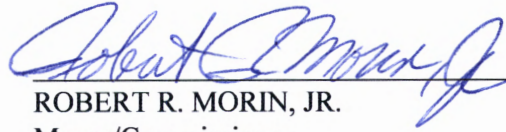
Mayor Morin commented on the need for smart growth within the City and expressed concern regarding the need for affordable housing in Eustis.

Commissioner Bob commented on the need for the City to help improve the schools noting that parents go where there are good schools. She cited the need to help the City's residents become more educated.

X. ADJOURNMENT: 7:45 p.m.



MARY C. MONTEZ
City Clerk



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.