



City of Eustis, Florida

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

Meeting Minutes – Final* City Commission

Thursday, September 21, 2017

6:00 PM

City Hall

INVOCATION: Pastor Richard King, St. James AME

PLEDGE OF ALLEGIANCE: Commissioner Sabatini

CALL TO ORDER: Mayor Morin

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

I. AGENDA UPDATE

Ron Neibert, City Manager, announced that due to Hurricane Irma the Duke Energy presentation was postponed to October.

Mayor Morin announced a presentation to residents of Hope Unlimited People Services group home. He explained they were present to meet the Commission and explained the organization provides alternative living arrangements for people with developmental disabilities. He introduced the founders, Darren and Collette Moore.

Darren Moore explained about Hope Unlimited and where the residents have come from. He stated their success has been based on including them into society.

II. PRESENTATIONS

16445 Presentation by Duke Energy regarding Transmission Line Project

This item was postponed until October.

16451 Presentation by the Episcopal Children's Services regarding their HeadStart Program

Jeannie Dillard, Chief Officer of Center Operations for Episcopal Children's Services, and Autumn Tomas, Director of HeadStart/Early HeadStart, provided an overview of Head Start and the transition from Lake Community Action Agency to Episcopal Children's Services. They distributed information packets to the Commission. Also present were Kelly Rogers, Regional Director, and Starr Winfield, Center Manager for the Eustis HeadStart/Early HeadStart Center.

III. AUDIENCE TO BE HEARD

Ray Mellott, 1809 Lakeshore Drive, thanked the Commission for its approval to standardize the speed limit on Lakeshore Drive. He stated his understanding that the County will consider the speed limit at their meeting on the October 24th. He commented on other safety issues with the road due to traffic and trucks. He asked for bigger and better signage for trucks at both ends of the corridor and stronger enforcement of the "no through trucks" and "no trucks over 4 tons".

Gail Isaac Thomas, on behalf of the Golden Seniors, questioned why the City was no longer providing juice and doughnuts but only paper products and coffee with Mr. Neibert offering to meet with her on the issue.

Ms. Isaac Thomas also thanked the firefighters for their response during the hurricane and commented on Commissioner Sabatini's Facebook posts.

Alfonso Walker commented on Commissioner Sabatini's Facebook posts regarding the proposed City budget. He expressed concern regarding Commissioner Sabatini omitting him from access to his page and referring to him as a "rabble rouser".

Fred Gardiner, 1215 Lakeshore Drive, addressed the Commission regarding the issues on Lakeshore Drive. He stated debris trucks are using the road as a through road and exceeding the speed limit. He expressed the need to get them off the road and thanked the Eustis Police Department for their enforcement efforts.

Monica Buggs thanked the Commission for voting for a censure of Commissioner Sabatini. She commented on Commissioner Sabatini's posts and emphasized that it was rude for him to interrupt people at the podium.

Darius Kerrison cited the need for Commissioners to respect individuals and indicated he had never said Commissioner Sabatini was a racist. He stated the City has bigger issues that need to be addressed citing young people hanging out that need something to do. He emphasized there needs to be mutual respect.

Tom Carrino, Economic Development Director, provided an overview of the following events: 1) Monthly Downtown Cruise-in on Sept. 23rd; 2) First Responder Cornhole Fund-raiser also on Sept. 23rd; 3) Annual Couples Cruise-in with Rocky and the Rollers and buses from the Villages on Saturday, Oct. 7th; and 4) October First Friday on Oct. 6th.

IV. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

16449 Resolution No. 17-58: Site Plan (with waiver) for Trout Lake Nature Center Access Road and Wastewater (CR 44)

Derek Schroth, City Attorney, announced Resolution No. 17-58: A Resolution of the City Commission of the City of Eustis, Florida, approving a site plan with waiver for Trout Lake Nature Center access drive, connection to wastewater and extension of water line on approximately 159.76 acres located at 520 E. CR 44.

Roland Magyar, Senior Planner, reviewed the proposed site plan and explained the requested waiver to reduce the width of the road. He reviewed the applicant's justification for the waiver as follows: 1) Improves interior traffic circulation; 2) Improves public safety; and 3) Reduces environmental impacts to the wetlands from stormwater and effluent. He stated staff's recommendation for approval.

The Commission confirmed how the traffic would flow and that the plan had been approved by the Fire Department. They questioned the material to be used for the roadway with Mr. Magyar explaining the roadway would be an aggregate with a mesh underneath that would still provide stormwater drainage.

Mr. Schroth opened the public hearing at 7:03 p.m.

Mike Morgan, resident of Country Club Manor, asked about trees to be removed for the roadway and if the ones closest to his property would be removed. He also asked if it was just an emergency access road.

Mr. Magyar stated it is a general access road but would also be used for emergency vehicles. He confirmed the road would not be paved. He indicated he could show Mr. Morgan the tree line on a map.

There being no further public comment, the hearing was closed at 7:07 p.m.

A motion was made by Commissioner Sabatini, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 17-58. The motion carried by the following vote:

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

16442 Resolution No. 17-60: Final Millage Rate for 2017 (FY2017-18)

Mr. Schroth announced Resolution No. 17-60: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the final millage levy of ad valorem taxes for the City of Eustis, Lake County, for Fiscal Year 2017-2018; providing for an effective date.

Rob Visser, Deputy Finance Director, stated the name of the taxing authority is City of Eustis, Florida. The rolled-back rate is 7.1559. The percentage of increase over the rolled-back rate is 5.94% and the millage rate to be levied is 7.5810. He reviewed the City's taxable values, millage rate and taxes collected from 2007 through 2017 and provided a comparison of millage rates among the other taxing entities in the County. He stated the requested action is approval of the final millage rate of 7.5810, which is the same rate as the last four years.

The Commission discussed the following: 1) The increase in ad valorem revenues between 2011 and 2017; 2) The increases in assessed value rather than the millage rate; 3) The effect on the City's economy from the recently concluded lawsuit; 4) Whether or not there was waste in the proposed budget; 5) The need for infrastructure improvements and services; 6) The previous lack of raises for City employees while requiring them to take on additional responsibilities due to reductions in staffing; and 7) The need for the City to spend money in order to invest in the community. It was suggested that for the next fiscal year that departmental workshop be held, beginning in April, for the Commission to hear how each department is working and what their expectations area.

Colleen Scott, Finance Director, explained that previously the City lost significant property assessed value and had to cut 30 FTE in staff. She noted the General Fund costs are 76% personal services with most of that being for public safety. She stated that projects are primarily funded out of other funds, not the General Fund.

Mr. Schroth opened the public hearing at 7:20 p.m.

Alfonso Walker asked if the increase in revenues is from higher taxes or new properties and clarified that the increase in revenues does not necessarily represent an increase in taxes on individual properties.

Mr. Neibert explained that in 2012 and 2013 the City increased the millage rate but it has not been increased since. He stated that the increases in revenues are from either increased property valuations, annexations or improvements to property.

The Commission explained that the increase in revenues must be advertised as a tax increase. It was noted that next year there will be a statewide referendum for an additional homestead exemption that, if passed, will result in a significant loss in revenue for the City.

Mr. Walker stated that many citizens are not aware of what it means. He commented on the cost of public safety and stated that the City has to inform the public so they can understand. He commented on the need to bring in outside funding such as CDB grants and the need to partner with social organizations for collaborative development.

There being no further public comment, the hearing was closed at 7:34 p.m.

A motion was made by Commissioner Gnann-Thompson, seconded by Commissioner Bob, to Approve Resolution No. 17-60. The motion carried by the following vote:

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

Nay: 1 - Commissioner Sabatini

16443 Resolution No. 17-61: Adopting a Final Budget for FY 2017-2018

Mr. Schroth announced Resolution No. 17-61: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the final budget for Fiscal Year 2017-2018; which shall include the capital improvement program for the City of Eustis; providing for an effective date.

Mr. Visser reviewed the timeline for the budget process. He cited the significant factors considered in development of the budget and provided an overview of the FY2017-18 budget. He compared the General Fund budget with other area cities noting that Eustis has the leanest General Fund budget in per capita ratio. He reviewed the funding for the Capital Improvement Plan consisting of 31 projects. He reviewed the future challenges that the City will need to address.

Mr. Schroth opened the public hearing at 7:42 p.m. There being no public comment, the hearing was closed at 7:42 p.m.

A motion was made by Commissioner Bob, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 17-61. The motion carried by the following vote:

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

Nay: 1 - Commissioner Sabatini

16450 Resolution No. 17-62: Award of Tennis & Basketball Court Resurfacing Projects

Mr. Schroth announced Resolution No. 17-62: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, approving expenditure in excess of \$50,000 for the award of tennis and basketball court resurfacing projects, and authorizing the City Manager to execute related budget actions.

Rick Gierok, Public Works Director, reviewed the planned tennis and basketball court resurfacing projects and explained the award to Varsity Courts would piggyback on the Orange County Schools bid. He noted that part of the Carver Park improvements would be funded through a FRDAP grant.

The Commission commented on the need to maintain the infrastructure following the improvements.

Mr. Gierok explained they are also repairing a design flaw in the original build at the Carver Park court and they will also be doing some of the shade structures, benches, etc. thru the FRDAP grant. He stated that ongoing maintenance is funded through the Parks and Recreation budget.

Mr. Schroth opened the public hearing at 7:47 p.m. There being no public comment, the hearing was closed at 7:47 p.m.

A motion was made by Commissioner Bob, seconded by Vice-Mayor Aliberti, to Approve Resolution No. 17-62. The motion carried by the following vote:

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

SECOND READING**16410 Ordinance No. 17-10: Implementing Water, Wastewater, and Irrigation Liens**

Mr. Schroth read Ordinance No. 17-10 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 94 "Utilities" and adding Section 94-261 "Water, Wastewater and Irrigation Liens"; providing for severability; providing for codification; providing an effective date.

Mr. Schroth opened the public hearing at 7:47 p.m. There being no public comment, the hearing was closed at 7:47 p.m.

A motion was made by Commissioner Sabatini, seconded by Commissioner Gnann-Thompson, to Adopt Ordinance No. 17-10 on second reading. The motion carried by the following vote:

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

16434 Ordinance No. 17-11: Amendment to Chapter 100 of the Land Development Regulations to Revise the Definition of Pharmacy and Ban and Prohibit Medical Marijuana (Cannabis) Dispensaries in the City of Eustis

Mr. Schroth read Ordinance No. 17-11 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida; amending Chapter 100 of the Land Development Regulations to revise the definition of "pharmacy," to provide that, for purposes of these regulations, dispensaries of medical marijuana (cannabis), as permitted by the Florida Statutes and approved by the Florida Health Department Office of Compassionate Use, shall not be considered pharmacies, and that such dispensaries shall be banned and prohibited within the City Limits of Eustis; providing for codification, severability and an effective date.

Mr. Schroth opened the public hearing at 7:49 p.m. There being no public comment, the hearing was closed at 7:49 p.m.

The Commission commented on the benefits of medical marijuana and how it is used with a suggestion to hold a future workshop with the public to discuss. They also discussed banning for now and seeing how it works in other areas, then it could be changed.

A motion was made by Commissioner Sabatini, seconded by Commissioner Bob, to Adopt Ordinance No. 17-11 on second reading. The motion carried by the following vote:

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

FIRST READING**16448 Ordinance No. 17-12: Amendment to the Code of Ordinances, Chapter 46 - Historic Preservation**

RECESS: 7:52 p.m. RECONVENE: 8:01 p.m.

Mr. Schroth read Ordinance No. 17-12 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida; amending Chapter 46, Historic Preservation, of the City Code of Ordinances, to provide for changes to procedural requirements; exceptions for fences and shutters; rename Article V to the Eustis Central Business District Building Design Standards; provide new geographic boundaries; determine Historic Preservation Board duties; providing for codification, severability and an effective date.

Mr. Magyar reviewed the proposed changes to Chapter 46 regarding historic preservation and stated staff and the Historic Preservation Board's (HPB) recommendation for approval. The changes included the following: 1) Alignment of notification processes; 2) fences and shutters may be approved administratively as long as historically compatible with structure; 3) Outdated code provisions in Article V - to be changed to "Central Business District Building Design Standards"; and 4) Amending geographic boundaries. He stated that the HPB will consider all certificates of appropriateness within the Central Business District.

Mr. Schroth opened the public hearing at 8:06 p.m. There being no public comment, the hearing was closed at 8:06 p.m.

A motion was made by Commissioner Sabatini, seconded by Commissioner Gnann-Thompson, to Approve Ordinance No. 17-12 on First Reading. The motion carried by the following vote:

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

16447 Ordinance No. 17-13: Allowing an Extension of the Flow Evaluation Period for New Industrial Uses and Expansions

Mr. Schroth read Ordinance No. 17-13 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending certain sections of the Code of Ordinances regarding an extension of the flow evaluation period for new industrial uses and expansions; providing for codification; and providing for an effective date.

Mr. Carrino explained the previously approved two-year flow evaluation period for new industrial uses and expansions to determine the appropriate amount of related impact fees. He stated that Florida Foods had entered into that program with the City; however, in late 2016, they were taken over by new owners and they need additional time to evaluate their product line and efficiency. Therefore, staff is asking to incorporate a one-time 18 month extension.

The Commission asked what occurs during that 18 months with Mr. Carrino explaining the user has to enter into an agreement with the City which lays out the data and information which the City needs to make a determination. He stated that the City monitors very closely both volume and content and would continue to monitor during the 18 months. If approved, staff would bring back an amended agreement. He added they are paying all user fees, they just have not paid their impact fees.

Mr. Schroth opened the public hearing at 8:12 p.m. There being no public comment, the hearing was closed at 8:12 p.m.

A motion was made by Commissioner Bob, seconded by Commissioner Gnann-Thompson, to Approve Ordinance No. 17-13 on First Reading. The motion carried by the following vote:

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

V. OTHER BUSINESS

16407 Possible Revisions to the City of Eustis Building Permit and Inspection Fee Schedule

Lori Barnes, Development Services Director, explained the purpose of the building department fees authorized by state statute and reviewed the proposed changes to the building permit and inspection fee schedule. She requested direction on which option the Commission preferred.

A motion was made by Commissioner Bob, seconded by Commissioner Gnann-Thompson, for staff to bring back the proposed changes under Option #1. On a voice vote, the motion Passed 4 to 1 with Commissioner Sabatini dissenting.

16446 Discussion of Comprehensive Plan Description of Central Business District "Core Area" and Future Land Use Map Designations

Ms. Barnes explained the Central Business District "core area" includes an area bordered by Bay Street, Orange Avenue, Clifford Avenue and Center Street; which is specifically outlined in the Comprehensive Plan. However, the Future Land Use Map (FLUM) shows the Central Business District boundary stopping at Dewey, which omits the three blocks between Macdonald and Orange Avenue and Dewey and Center. She explained the result is that those three blocks have a Residential/Office Transitional Land Use District rather than a Central Business District Land Use District. She stated that the Comprehensive Plan explicitly states that the intent is to allow a higher density of up to 40 du/ac vs 12 du/ac in the "core area". To meet the intent of the Comprehensive Plan, the FLUM must designate those blocks as Central Business District Future Land Use. She stated staff is asking for Commission direction to proceed with a FLUM amendment so that it matches the intent of the Comprehensive Plan which would help to encourage development and investment with the downtown area.

A motion was made by Commissioner Sabatini, seconded by Commissioner Gnann-Thompson, for staff to bring back the Future Land Use Amendment as proposed. On a voice vote, the motion Passed unanimously.

VI. FUTURE AGENDA ITEMS

Commissioner Sabatini asked about lowering the dollar threshold for items brought for Commission consideration noting that Mount Dora and Lake County have a \$25,000 threshold. He also asked about appointing an alternate to the Lake Sumter MPO, contracting with the Eustis High School Band to perform at some of the First Friday events and the status of the proposed honors/internship program.

Mr. Neibert stated he would have staff evaluate the number of effected transactions and bring the information back to the next meeting regarding the dollar threshold. He also stated he would check on the status of having the high school band perform at First Friday. He indicated that staff had obtained the information regarding the Tavares internship program and he would bring it back for Commission consideration at the next meeting.

Mayor Morin asked for additional time to consider appointing an alternate to the MPO and then he would bring it back for consideration.

VII. COMMENTS**City Commission**

Vice Mayor Aliberti reported she had met with the owner of the VanDee Building and they are putting in storefronts in the building. The owner had said he was very impressed working with Tom Carrino on that project. She also reported that Property Appraiser Carey Baker had announced there would be no millage rollback due to the effect of the hurricane.

Commissioner Bob cited the need for the City to improve its relationship and assistance to the schools. She noted a number of employees are volunteering at local schools. She commented on the need for activities for suspended students to keep them out of trouble. She cited issues using social media and stated the need to monitor what is done on social media.

Mayor Morin commented on the number of recent events such as Hurricane Irma and thanked staff for their work during the hurricane. He noted Commissioners worked at the high school shelter.

Vice Mayor Aliberti reported on her experience in volunteering at the high school.

Commissioner Bob noted that some of the residents that came to the high school were from the subdivisions that were against the ISBA (Interlocal Service Boundary Agreement).

Mayor Morin thanked Commissioner Sabatini for his service in South Florida with the Florida National Guard and thanked Commissioners and staff for attending the ISBA joint public meeting and for their input during the meeting. He cited the lack of Eustis residents attending the meeting. He stated they had reached an agreement to consider a Joint Planning Area agreement between Eustis and Mount Dora. He encouraged residents to send their comments on issues to the official Commission email addresses so it can be shared with other Commissioners and staff.

City Manager

Mr. Neibert thanked staff for their service during the storm noting that no resident lost water or sewer service during the event. He stated it would be about three weeks before all of the debris is cleared. He noted that Eustis was the first community to get started clearing debris since Eustis handles that internally. He added the City is about 50% complete on its first pass and that every street would be picked up before the second pass is done.

Mr. Neibert informed the Commission that staff could bring back some weight limit reductions for Lakeshore Drive.

CONSENSUS: It was a consensus of the Commission for staff to bring back weight reductions for Lakeshore Drive.

City Attorney

Mr. Schroth noted that earlier in the meeting the Mayor indicated he wanted to expel a Commissioner from the meeting. He reviewed the Commission Rules of Order that govern such action. He stated that the Presiding Officer does have the authority to have someone leave a meeting; however, he asked that all individuals be given a warning first so there is due process.

Commissioner Sabatini indicated that due process should be taken very seriously by all of the Commissioners; however, if that was ever exercised he would consider legal action.

Mr. Schroth stated that's why a warning would be appropriate. He stated they can't have Commissioners talking over each other particularly if there is a court reporter present.

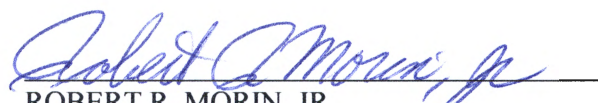
Mayor Morin responded that he would not be afraid of possible litigation and expressed the hope that the Commission can grow out of recent events.

Commissioner Bob noted that at the last meeting she did not agree with the vote to censure since she does not like ganging up on people. She asked what are the alternatives if they can't work with each other.

Mr. Schroth responded that each Commissioner has equal power, except the presiding officer has the discretion necessary to run the meeting. He stated that the Commission's only options if they think there is unethical behavior is to either go to the Commission on Ethics or the Governor.

VIII. ADJOURNMENT - 8:52 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.