APPROVED: 10/5/2017

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 7, 2017 **6:00 PM** **City Hall**

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

PLEDGE OF ALLEGIANCE: Commissioner Gnann-Thompson

CALL TO ORDER: Mayor Morin - 6:17 p.m.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

I. AGENDA UPDATE - None

II. APPROVAL OF MINUTES

16439 August 3, 2017 - Regular City Commission Meeting

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

III. PRESENTATIONS

16436 Presentation regarding Eustis Heights Elementary Annual Book Bus Drive to be Used to Benefit Houston Schools Impacted by Hurricane Harvey

Eustis Heights Elementary Principal Chad Frasier presented information regarding the school's annual book bus drive. He explained that this year's drive would be used to assist three schools affected by Hurricane Harvey - an elementary, a middle school and a high school located in the Clear Creek Independent School District. He noted they would accept book donations as well as monetary donations. He added that, due to Hurricane Irma, they would divide up the donations to assist both the victims of Harvey and Irma. He commented on the educational and emotional impact of the events on the students. He stated the drop off locations would be Eustis Elementary, Eustis Heights Elementary, Eustis Middle School, and both the Curtright and Main Campus of Eustis High School. He stated they hoped to send the donations off on Saturday, September 23rd, depending on the impact of Hurricane Irma.

IV. CONSENT AGENDA

16423 Resolution No. 17-55: Purchase in Excess of $50,000 for Lake Community Action Agency Building Reroof

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

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

V. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

16415 Resolution No. 17-51: Lakeshore Drive Speed Limit

Derek Schroth, City Attorney, announced Resolution No. 17-51 as follows: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, setting the speed limit on Lakeshore Drive within City limits of the City of Eustis at a maximum speed of 30 miles per hour within residential and business districts in accordance with F.S. 316.189.

Rick Gierok, Public Works Director, explained the Community Traffic Safety Committee had met with representatives from Lake County, Tavares, Eustis and the Sheriff's Department and all agreed to standardize the speed limit along Lakeshore Drive to 30 mph.

Mr. Neibert reported that Lake County had dropped its request that the cities take over maintenance of the road.

Mr. Schroth opened the public hearing at 6:25 p.m.

The following individuals addressed the Commission in support of the resolution: 1) Loretta Maimone, real estate agent for a Lakeshore Drive resident; and 2) Brenda Arrow who also expressed support for additional signage and enforcement.

There being no further public comment, the hearing was closed at 6:27 p.m.

A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 17-51. The motion carried by the following vote:

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

16427 Resolution No. 17-53: Bid Award for the Sunset Isle Skate Park Design-Build Project

Mr. Schroth announced Resolution No. 17-53 as follows: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, awarding RFQ No. 010-17 to Team Pain Skate Parks, for the design-build of the Sunset Isle Skate Park, and authorizing the City Manager to execute the contract in an amount not to exceed $500,000 and to execute related budget actions.

Mr. Gierok reviewed a timeline of the project beginning with Commission direction for staff to apply for a FRDAP grant for the project in August 2015 and the subsequent award of a $100,000 grant. He reviewed additional improvements that are planned for Carver Park for which the City also received a $50,000 FRDAP grant. He explained the RFQ for the design-build of the skate park with three companies responding. He stated the selection committee recommends the award of the RFQ to Team Pain. He cited Team Pain's qualifications. He reviewed the design and construction process including public design meetings and a Facebook page dedicated to the skate park design. He commented on a meeting held at the 9th grade center regarding the park and the excitement of the students. He presented the three proposed sites on Sunset Island for the park with some conceptual plans. He explained design, permitting and construction will take approximately nine months. He reviewed additional improvements to be done at Sunset Island including resurfacing the tennis courts, resurfacing the parking lots, roof repairs and painting of the Senior Center, and removal of the shuffleboard courts due to their poor condition.

The Commission asked about the need for the geotechnical with Mr. Gierok indicating that, whenever you are that close to water, you have to make sure the ground will support any structures.

The Commission questioned Team Pain President Tim Payne regarding the following: 1) Average cost of his parks; 2) Closest park constructed by his company; 3) Average cost for most cities; 4) Biggest park they have constructed; 5) Whether or not all of their parks are public; and 6) The smallest city they have built for. They also asked what the cost was for the Tavares skate park.

Mr. Payne responded and commented as follows: 1) Average cost is $30 per square foot; 2) The actual size of the proposed park will be larger than indicated on the conceptuals; 3) Closest parks are Jacksonville Beach and Lakeland; 4) The benefits to skateboarding and changes in legislation that benefit public skate parks; 4) The poor quality of the Tavares and Umatilla skate parks; 5) Average cost for most cities is $300,000 to $800,000; 6) They do not build event parks for the local community; 7) Largest park is in Colorado at 44,000 sq.ft.; 8) They have constructed private parks; however, all those listed in their proposal are public; 9) Some of the public parks charge; however, they wind up being a babysitting facility; and 10) The smallest town they built for was Crescentview with a population of 2,000 where they built a 10,000 sq.ft. park.

Mr. Gierok indicated that he was not able to find out how much Tavares paid for their park due to the age of the park. He also noted they did not use a skateboard contractor for the project.

The Commission noted previous concern that there would be insufficient funding for the park to be a destination park and attract other people; however, it appears that it could be a major destination. Comments were made concerning the company's qualifications.

Mayor Morin opened the public hearing at 6:56 p.m.

The following individuals expressed support for the skate park and commented on the quality of the Team Pain parks: 1) Horace Lieber; 2) Johnnie Saunders who also noted the need for a scoreboard and other improvements at Carver Park; 3) Anthony Aramino; 4) Jason Dagner; 5) Nick Bishop; 6) Craig Dupree; 7) Lisa Dupree; 8) Larry Litrell; 9) Jesse Kegg; and 10) Edward Waxman.

Greg Mack, 118 N. Eustis, asked what stage the project is in with Mr. Neibert explaining that the Commission will be voting on the award of the design-build contract. He commented on lack of knowledge within the community regarding the project. He cited other areas that need to be improved and asked what are the demographics and who will be using the park.

The public hearing was closed at 7:27 p.m.

The Commission further discussed the following: 1) The difference between small local parks and destination parks; 2) The skate park in Ocala; 3) The meeting at the high school with the youth and the lack of their attendance due to school activities being rescheduled due to the impending storm; and 4) Whether or not Team Pain has had any discussion with other local cities for construction of a skate park with Mr. Payne responding negatively.

A motion was made by Commissioner Bob, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 17-53. The motion carried by the following vote:

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

16430 Resolution No. 17-54: Approval of a two-year fixed rate contract for workers' compensation and general liability insurance coverage

Mr. Schroth announced Resolution No. 17-54 as follows: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, awarding a two-year contract for workers' compensation and general liability insurance coverage to Public Risk Management of Florida, for the policy period beginning October 1, 2017.

Colleen Scott, Finance Director, reviewed the proposed two-year contract and explained the cost savings to the City by going to the two-year period.

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

A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 17-54. The motion carried by the following vote:

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

16428 Resolution No. 17-56: Adopting a Proposed Millage Rate for FY2017-18

RECESS: 7:35 p.m. RECONVENE: 7:45 p.m.

Mr. Schroth announced Resolution No. 17-56 as follows: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the tentative millage levy of ad valorem taxes for the City of Eustis, Lake County, Florida, for Fiscal Year 2017-2018; providing for an effective date.

Ms. Scott stated the name of the taxing authority is the City of Eustis. The roll-back rate is 7.1559. The percentage of increase over the roll-back rate is 5.94% and the millage rate to be levied is 7.5810. She reviewed the City's millage rate and total taxes collected from 2007 to 2017. She provided a comparison with other area cities noting that a number of other cities have either a solid waste or fire assessment or both. She stated that the City's taxable property values went up 8.9%. She commented on the probable impact from the proposed additional homestead exemption which, if approved, would cost the City $378,000. She reported that the second hearing would be held September 21, 2017.

Commissioner Sabatini commented on the increase in property taxes and expressed support for reducing the proposed rate.

Mr. Neibert explained that the projected revenues are required to balance the General Fund budget and to reduce the millage rate would require cuts in the General Fund operating budget. He further explained individuals would not see a tax increase unless their property value was increased by the Property Appraiser. He explained the 9% increase in the property valuation is an aggregate of all the properties in the City, not a per property increase. He stated that there is more taxes coming into the City from the ad valorem rate based on three factors: 1) Properties annexed into the City; 2) Re-assessments due to new property improvements; and 3) Reassessments by the Property Appraiser. He concluded that only those individuals would see an increase in their property taxes.

Mr. Schroth opened the public hearing at 7:53 p.m.

An unidentified lady questioned the property tax increase while spending $500,000 on a skate park.

Mr. Neibert explained that the funding for the skate park is not coming from ad valorem funds. He reviewed the funding sources for the skate park. He further explained that no ad valorem revenues are used for roads and streets maintenance.

Ms. Scott and Mr. Schroth explained to the resident how property taxes are computed and indicated that she could find out how much her taxes may increase either on the TRIM notice she received in the mail or through the Property Appraiser's website.

There being no further public comment, the hearing was closed at 7:58 p.m.

A motion was made by Commissioner Bob, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 17-56. The motion carried by the following vote:

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

Nay: 1 - Commissioner Sabatini

16429 Resolution No. 17-57: Adopting a Tentative Budget for FY 2017-18

Mr. Schroth announced Resolution No. 17-57 as follows: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the tentative budget for Fiscal Year 2017-2018; providing for an effective date.

Ms. Scott provided an overview of the tentative budget for fiscal year 2017-18, the budget process and the General Fund revenues and expenditures. She cited future challenges to the City including the following: 1) Funding for police and fire pensions; 2) Insurance costs; 3) Competitive employee compensation; 4) Aging infrastructure; and 5) Additional homestead exemption with a possible loss of revenue of $378,000.

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 Bob, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 17-57. The motion carried by the following vote:

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

Nay: 1 - Commissioner Sabatini

16441 Resolution No. 17-59: Declaring a State of Emergency within the City of Eustis

Mr. Schroth announced Resolution No. 17-59: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, finding that in the event that the Governor of the State of Florida declares the state is in a state of emergency, or in the event that the Lake County Commission finds a state of emergency in Lake County, then in such event just cause exists for declaring a state of emergency in the City of Eustis, Florida; and authorizing the City Manager and City's Police Chief to perform such duties and assume such authority as is authorized by statute for emergency conditions.

Mr. Schroth confirmed that both the Governor and the Lake County Commission had declared a state of emergency for the state and the county. He opened the public hearing at 8:08 p.m. There being no public comment, the hearing was closed at 8:08 p.m.

A motion was made by Commissioner Sabatini, seconded by Vice-Mayor Aliberti, to Approve Resolution No. 17-59. The motion carried by the following vote:

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

FIRST READING

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

Mr. Schroth read Ordinance No. 17-10 by title only on first reading: An Ordinance of the City Commission of the City of 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. Neibert announced that the meeting had reached the two hour mark. It was a consensus of the Commission to continue the meeting.

Ms. Scott explained the need to enact Ordinance No. 17-10 in order for the City to remain in compliance with state statutes.

Mr. Schroth opened the public hearing at 8:11 p.m.

Daniel DiVenanzo expressed concern regarding the levying of liens and the need for additional information.

Ms. Scott explained that any effected property owner would receive advanced notice and there would be criteria in place for the levying of the lien. She explained the process that would be used.

Mr. Neibert explained that the state statute requires the City to provide for utility liens based on the issuance of utility bonds.

There being no further public comment, the hearing was closed at 8:16 p.m.

The Commission requested a workshop prior to second reading to receive additional information on how the liens would be levied and criteria to be used.

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

Aye: 5 - Commissioner Gnann-Thompson; Commissioner Sabatini; Vice-Mayor Aliberti; Commissioner Bob; 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 first 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.

Lori Barnes, Development Services Director, reviewed the ordinance and explained the ordinance would ban medical marijuana dispensaries. She reviewed the history of the medical marijuana legalization and criteria and the City's previous approval for the dispensaries to be permitted as retail pharmacies. She noted that, at that time, there was no ability for the City to ban the dispensaries. She then reviewed the state legislation enacted in June 2017 which stated the City can either allow the dispensaries as a pharmacy or they can ban them. She stated the following considerations: 1) As of September 6th, there are 36,441 patients, 1007 ordering physicians and 6 dispensing organizations in the state; 2) New state regulations do not allow facilities within 500 feet of schools; 3) Signage may not include wording or images targeting children or encouraging recreation use; and 4) Must be sold only in a form allowed under state statute. She then reported the County will be considering an ordinance banning the dispensaries in unincorporated Lake County. She reviewed how other jurisdictions are addressing the issue, the Commission's options and the results from those options.

Mr. Schroth opened the public hearing at 8:30 p.m.

The following individuals expressed support for banning the dispensaries: 1) Daniel DiVenanzo; and 2) Johnnie Saunders. The following individuals expressed opposition to banning the dispensaries: 1) Lydia Bob; and 2) Greg Mack.

The Commission commented on the science behind the use of medical marijuana and the possibility of holding community discussions about the issue.

There being no further public comment, the hearing was closed at 8:37 p.m.

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

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

VI. OTHER BUSINESS

16420 American Legion Cannon Request

Mr. Neibert explained the request by the American Legion to have their cannon replaced back in front of their former building. He stated the estimate for restoration of the wheels is $2300 with the restoration of the cannon being privately funded. He stated the approval would also need to include acceptance of the ownership of the cannon, allowing placement in front of the American Legion building, and expenditure of no more than $2300 for the wheel restoration.

The Commission discussed how the $2300 could be funded with Ms. Scott noting there are no funds remaining in the Contingency line item for FY2016-17 and Mr. Neibert explaining that the Commission could approve the donation with the funds to come from the next fiscal year.

A motion was made by Commissioner Sabatini, seconded by Commissioner Gnann-Thompson, to approve acceptance of the cannon, placement in front of the American Legion building and the $2300 expenditure for the wheel restoration to be expended from the FY2017-18 budget. On a voice vote, the motion passed 4 to 1 with Commissioner Bob dissenting.

16432 Presentation by Wendell Husebo on the Eustis Business Alliance McCulloch's Alley Lighting Project

Tom Carrino, Economic Development Director, explained the Eustis Business Alliance (EBA) has requested to install lighting in McCulloch's Alley.

Wendell Husebo, Chairman of the EBA, explained the proposal to put aesthetic lighting along the alley off of Magnolia to Sol de Mexico. He also commented on the possibility of closing the parking lot at times to allow for outdoor music.

Mr. Neibert stated there are two considerations: 1) Does the City want to allow the lights to be installed; and 2) Whether or not the City wants to assist with the funding.

Mr. Husebo noted the petition and confirmed that he and the EBA would contribute. He stated that he has received verbal interest from other businesses.

Mr. Neibert explained that staff would need a consensus to draft an agreement which would include use of the building for lighting installation and use of the parking lot.

The Commission discussed whether or not the parking lot owner would be willing to allow closures for events, whether or not any City funding would be required; and if all of the effected business owners were in agreement.

A motion was made by Commissioner Sabatini, seconded by Commissioner Gnann-Thompson, for staff to work with the EBA to draft an agreement for use of the building and alley. On a voice vote, the motion passed unanimously.

16418 Development Project Status Report

Mr. Neibert reviewed the Development Project Report including the following: 1) The Keating project on N. 44 which has been annexed into the City and is now being marketed for development; 2) The Chesterfield and Lakeview subdivisions have received an extension and they are working with a new engineer to get the project back on track; 3) The Pebble Creek project on Orange Avenue and

44B - they are working to clear up a sewer line easement before they can proceed; 4) The Daniel DiVenanzo apartment project - plans have been submitted and reviewed and staff is waiting for him to finalize a few items; 5) Staff has been working with a cruise ship fuel blending company on possible locations in Eustis. Staff understands they have reached terms on an undisclosed property for the project. 6) Staff is working with the new owners of Florida Foods on their expansion and investment in the facility. 7) Staff attended the International Council of Shopping Centers Conference in Orlando. They met with several developers and consultants on the old hospital site and other properties. 8) Staff has been coordinating with developers to open a doughnut shop in the out parcel in the old Winn Dixie shopping center on Grove Street.

Commissioner Bob asked about the proposed train with Mr. Neibert stating staff has been meeting with the train operators and will be working with them on a Polar Express event with the Clifford House to be used as the Polar Express station.

16425 Presentation of Building Maintenance Report

Mr. Gierok provided an overview of the City's building maintenance program which is included in the five-year capital plan. He stated that the bigger expense items are the roofing, painting and HVAC systems for the City buildings.

16426 Update on State Road 19 Downtown Crossings

Mr. Gierok reported on the SR19 plans and stated that a complete streets program to be completed by the Lake Sumter MPO is in the FDOT budget for Grove, Eustis and Bay Street from Citrus to Clifford as well as a section of Orange Avenue. He noted that in the past the City purchased LED lighted signs for the pedestrian crossings and then DOT said the City could not use them. He commented on changes to Ferran Park Drive that would allow the moving of the traffic signal from Clifford to Macdonald. He explained that the flashing beacons do not stop traffic and provide a false sense of security to the pedestrians. He stated there may be an improved possibility of DOT approving the relocation of the signal. He cited the high cost of signalization. He explained the MPO would take the lead for the complete streets study.

Commissioner Bob suggested holding a workshop to discuss options for slowing down the traffic.

Mr. Neibert indicated that, once the complete streets study is finished, staff would schedule a workshop to discuss the options.

16435 Discussion regarding Home Rule Resolution

Mr. Neibert explained that the League of Cities has asked all of the cities to pass resolutions regarding Home Rule.

Commissioner Bob expressed concern regarding the sample home rule resolution and cited concerns regarding lack of involvement by minority peoples.

Mr. Neibert explained that, if the legislature has its way, more decisions will be made at the state level and less at the local level. He further explained that the state is endeavoring to take more authority away from the communities.

Commissioner Bob further expressed concern regarding community attitudes toward poor, black and brown residents.

Mr. Neibert offered to meet with her individually or in a workshop to discuss the benefit of the resolution.

16437 Commission Discussion on Business Wayfinding Signage

Mr. Carrino commented on the previous discussion regarding implementing a business wayfinding program. He reported staff identified 8 or 9 locations where signage could be placed with 6 or 7 in downtown as well as a location on Kensington Gateway and on Bates Avenue. He reviewed a quote stating that each pole would be approximately $360 each with each sign and bracket about $50 each. He noted that Mount Dora charges $75 to each business to participate. He stated for 8 or 9 sign poles the cost would be approximately $5,000. He stated a pilot program for 3 poles with 3 to 4 signs each would be about $1700. He stated staff's recommendation to proceed with the pilot program and to discuss with businesses to determine the optimum locations.

The Commission asked the location of the pilot program sites with Mr. Carrino noting that interest has been indicated by LEMA and Barnwood Barbecue. He cited the need to avoid State right-of-way and suggested a location at Orange Avenue and Bay Street along with a possible location on Kensington or Magnolia and Eustis. He indicated the need for staff to discuss locations with the local businesses.

The Commission discussed the purpose of the program to be for individuals passing by to see what is there; the cost of the proposed program; the need to be more inclusive; and the needs of those businesses that have very limited visibility.

Mr. Neibert suggested that staff survey the businesses to gauge interest and bring back a report to the Commission. He also explained the City is limited due to its inability to place signage on various state rights-of-way.

Dan Backhaus, Barnwood BBQ, expressed the need for the signage noting that he had been cited twice by the City for having a small offsite sign. He commented on the need to attract the traffic going by. He cited the inconsistency of sign ordinance enforcement.

A motion was made by Commissioner Sabatini, seconded by Commissioner Bob, to Approve implementation of the pilot program. On a voice vote, the motion passed unanimously.

16438 City Manager Annual Evaluation

Bill Howe, Human Resources Director, explained the Commission annually evaluates the City Manager. He stated that is when discussion is usually held regarding any salary increase. He noted that the Commission previously approved for all City employees to receive a 2% merit increase effective the first of the fiscal year.

Commissioner Bob commented on the lack of diversity within the City staff and stated she does not blame Mr. Neibert for the current situation but indicated her desire that he proactively address the situation. She expressed concern regarding the lack of minority representation and cited the need to reach out to disadvantaged youth, regardless of color.

Mayor Morin cited Mr. Neibert's qualifications and efforts to bring people together and initiating changes to improve programs. He concurred on the need for more diversity among the department heads. He noted Mr. Neibert's willingness to let the Commission know when they can't do something.

Mr. Neibert thanked the Commission for their comments both written and verbal noting the suggestions for improvement.

Commissioner Gnann-Thompson commented on Mr. Neibert's accessibility to the citizens. She thanked him for caring about the community.

Vice Mayor Aliberti expressed appreciation for Mr. Neibert providing them information and cited his professionalism.

Mr. Neibert indicated that the Commission decision would be to determine whether or not to adjust his annual salary. He added that he would not want them to consider anything higher than what has already been approved for the rest of the City staff.

Commissioner Sabatini commented on the need for the City Manager to make economic development the top priority and his desire to see the City have specifically spelled out economic and fiscal benchmarks. He explained it was difficult to evaluate his performance without those stated benchmarks. He added that, overall, the City Manager was doing a good job.

A motion was made by Commissioner Bob, seconded by Commissioner Gnann-Thompson, to Approve a 2% increase for the City Manager. The motion carried by the following vote:

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

Nay: 1 - Commissioner Sabatini

VII. AUDIENCE TO BE HEARD

Mayor Morin left the Commission room at 9:38 p.m. He passed the gavel to Vice Mayor Aliberti. He returned at approximately 9:42 p.m.

The following individuals addressed the Commission to express opposition to the City accepting and displaying Confederate statues from other communities: 1) Alfonso Walker; 2) Tonya Lee; 3) Rev. Richard King; 4) Jane Hepting; 5) Pastor Rene Hill; 6) Hillary Mitchell; 7) Nancy Hurlburt; 8) David Cunningham; and 9) Gessner Harris.

Darius Kerrison encouraged the Commission to take the time to talk to the older generation and hear their stories. He noted the funding spent on the skate park and the cannon but the community can't get the funding for the Carver Park scoreboard.

Alicia Morris emphasized the need for the Commissioners to be nonpartisan and serve all the people of Eustis.

Tina Morin expressed anger regarding comments made to Fox 35 News and on Facebook that she believed were inaccurate.

Vice Mayor Aliberti, speaking as a resident, commented on the possible liability for Facebook posts and stated the post regarding Confederate statues was reckless and an abuse of power. She emphasized the importance of the people and the need for nonpartisanship.

Pastor Lorenzo Hagens commented on Commissioner Sabatini's Facebook posts and announced his intention to run for the Commission.

Nicie Allen Parks noted her previous comments during the discussion regarding a Martin Luther King Jr. designation and Carla Miller Mitchell Way and her distress at how those situations were handled. She stated the community's goal is for "one Eustis" and her personal goal is to assist with that goal.

James O'Neal expressed opposition to violence and racism against any race.

Mayor Morin noted the August 3rd discussion regarding Commissioner Sabatini's residency and possible forfeiture of office but the Commission voted to not proceed due to the cost to the City. He stated the Commission's ability to censure Commissioner Sabatini for his actions.

MOTION
Mayor Morin moved to censure Commissioner Sabatini for inciting and creating a position that makes Eustis look so bad. Vice Mayor Aliberti seconded.

Mr. Schroth stated there is no mechanism in the City Charter that allows the Commission to discipline another Commissioner. He explained that a censure would have no legal impact but would be the opinion of a majority of the commissioners.

Commissioner Bob expressed concern regarding Commissioner Sabatini's posts and comments. She stated that he has a responsibility to carry himself in a way that is not embarrassing. She indicated she would not vote on the censure.

Commissioner Sabatini commented on the Commission's actions in expending City funds on his residency issue. He noted he would need to leave due to needing to be somewhere at 5:00 a.m.

Vice Mayor Aliberti clarified that censure means that they do not agree with his actions.

Commissioner Gnann-Thompson asked if Commissioner Sabatini had learned anything.

Commissioner Sabatini explained he made the post when monuments were being destroyed that were honoring soldiers who fought in a war they didn't choose. He stated his belief there was a misunderstanding about what he meant. He stated his pride in the City working toward "one Eustis" but opposition to destroying historical items. He expressed support for other organizations finding appropriate places for the monuments to be placed.

Commissioner Gnann-Thompson stated he should know better and last time he was asked to apologize. She noted Commissioner Bob had encouraged him to stay off Facebook and watch what he says. She added that the censure causes her no pleasure.

Mr. Schroth announced that Commissioner Sabatini would be leaving due to his National Guard deployment in response to Hurricane Irma.

On a roll call vote, the motion to censure Commissioner Sabatini passed 3 to 0 with Commissioner Bob declining to participate.

VIII. FUTURE AGENDA ITEMS - None

IX. COMMENTS

City Commission

Commissioner Gnann-Thompson confirmed that the owners of the 1884 building are in compliance with their contract for the barber shop building with Mr. Neibert responding affirmatively.

City Manager - None

City Attorney - None

Mayor - None

X. ADJOURNMENT - 10:54 p.m.

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.