



City of Eustis, Florida

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

Meeting Minutes – Final* City Commission

Thursday, June 15, 2017

6:00 PM

City Hall

INVOCATION: Pastor Steve Storey, Believers Faith Fellowship

PLEDGE OF ALLEGIANCE: Commissioner Gnann-Thompson

CALL TO ORDER: Mayor Morin - 6:01 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

16387 June 1, 2017 - Regular City Commission Meeting

A motion was made by Commissioner Gnann-Thompson, seconded by Commissioner Sabatini, that the Minutes be Approved. The motion passed by an unanimous vote.

III. AUDIENCE TO BE HEARD

Nan Cobb, Lake Eustis Area Chamber of Commerce, reminded the Commission that Saturday would be a grand opening and ribbon cutting at BZ's in Dona Vista and on June 20th TreasureMarts would be having their grand opening and ribbon cutting.

Steve Storey, Pastor of Believers Faith Fellowship, noted he also teaches tennis for the Parks & Recreation Program and asked about funding for the tennis courts to be resurfaced.

Ron Neibert, City Manager, responded that it is in the capital improvement budget and they should be done prior to the season starting.

Bill Gay, Eustis Area Chamber of Commerce, announced that the Frankly Friday event would be held at the Bronson Ace Hardware on Orange Avenue.

IV. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

16382 Resolution No. 17-43: Implementing an annual rate increase for water, wastewater, and reclaimed water to ensure that City facilities are maintained in proper working order and comply with regulatory mandates

Derek Schroth, City Attorney, announced Resolution No. 17-43: A Resolution of the City Commission of the City of Eustis, Lake County, Florida, authorizing adjustment to City of Eustis rates for water, wastewater and reclaimed water, to provide for the annual adjustment per Ordinance No. 16-10, to be effective June 1, 2017.

Colleen Scott, Finance Director, provided an overview of the requested utility rate adjustments as previously approved through Ordinance No. 16-10 and explained the purpose of the regular rate

studies which determine the necessary amount of any increases. She further explained that while the rates were approved through the ordinance, in an effort to provide full transparency, staff is recommending the rates be reconfirmed through resolution.

Mr. Schroth opened the public hearing at 6:09 p.m. There being no public comment, the hearing was closed at 6:09 p.m.

A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 17-43. The motion carried by the following vote:

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

Nay: 1 - Commissioner Sabatini

16386 Resolution No. 17-44: Approval of Agreement with MassMutual as 401(a) and 457(b) Deferred Compensation Record Keeper

Mr. Schroth announced Resolution No. 17-44: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, authorizing the City Manager to execute the necessary documents with MassMutual to serve as the record keeper for the 401(a) and 457(b) deferred compensation plans.

Mr. Neibert reviewed the recommendation to approve a contract with MassMutual to serve as the City's record keeper for the 401(a) and 457(b) deferred compensation plans. He stated that the recommended changes will save the employees over \$68,000 annually in fees.

The Commission questioned whether or not the retirement plans have recovered from the crash with Mr. Neibert responding positively but noting that, in the past, the employees never received any financial advice to help make good investment decisions. He stated that the new program will provide professional financial investment advice at no additional cost to the employees. He explained that the proposed changes will reduce the fixed costs.

The Commission asked how many employees are still part of the FRS (Florida Retirement System) with Mr. Neibert responding there are less than ten. He noted that police and fire employees have their own retirement plans.

Mr. Schroth opened the public hearing at 6:13 p.m. There being no public comment, the hearing was closed at 6:13 p.m.

The Commission confirmed that all employees were met with and informed about the changes.

A motion was made by Commissioner Gnann-Thompson, seconded by Commissioner Sabatini, to Approve Resolution No. 17-44. The motion carried by the following vote:

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

SECOND READING

16375 Ordinance No. 17-04: Amendment to Chapter 34, Article III, Eustis Code of Ordinances, adding Section 34-104 "Fertilizer Use"

Mr. Schroth read Ordinance No. 17-04 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida; amending the Eustis Code of Ordinances, Chapter 34, Article III, to add a new Section 34-104, entitled "Fertilizer Use"; adopting the Florida Department of Environmental Protection Model Ordinance for Florida-Friendly fertilizer use on urban landscapes; providing for severability; providing for filing with the Department of State; and providing an effective date.

Mr. Schroth opened the public hearing at 6:15 p.m. There being no public comment, the hearing was closed at 6:15 p.m.

A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Gnann-Thompson, to Adopt Ordinance No. 17-04 on second reading. The motion carried by the following vote:

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

16376 Ordinance No. 17-05: Conditional Use Permit to Allow an Agricultural Use (Keeping Horses for Personal/Private Use) in a Suburban Residential Land Use District

Mr. Schroth read Ordinance No. 17-05 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving a Conditional Use Permit for an agricultural use to allow keeping of horses for personal/private use in a Suburban Residential Land Use District on approximately 70.15 acres located between Pine Meadows Golf Course Road and Orange Avenue.

Mr. Schroth opened the public hearing at 6:16 p.m. There being no public comment, the hearing was closed at 6:16 p.m.

A motion was made by Commissioner Sabatini, seconded by Commissioner Gnann-Thompson, to Adopt Ordinance No. 17-05 on second reading. The motion carried by the following vote:

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

16374 Ordinance No. 17-06: Revising the holding period of utility deposits and revising the service charge for returned checks

Mr. Schroth read Ordinance No. 17-06 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending Chapter 94-262(c) Utilities Minimum Deposits, providing a revision to the holding period for utility deposits and Chapter 94-262(f) providing a revision to service charges for returned checks; providing severability; providing an effective date.

Mr. Schroth opened the public hearing at 6:17 p.m. There being no public comment, the hearing was closed at 6:17 p.m.

A motion was made by Commissioner Bob, seconded by Commissioner Gnann-Thompson, to Adopt Ordinance No. 17-06 on second reading. The motion carried by the following vote:

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

16379 Ordinance No. 17-07: Amending Chapter 34 - Environment to Create Article V - Noise

Mr. Schroth read Ordinance No. 17-07 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending Chapter 34 – Environment; adding Article V – Noise; providing for codification; providing an effective date.

Mr. Schroth opened the public hearing at 6:18 p.m. There being no public comment, the hearing was closed at 6:18 p.m.

Mr. Neibert noted some minor corrections to the ordinance that referred to zoning rather than land use classifications.

A motion was made by Commissioner Bob, seconded by Commissioner Sabatini, to Adopt Ordinance No. 17-07 on second reading. The motion carried by the following vote:

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

Nay: 1 - Vice-Mayor Aliberti

FIRST READING

16383 Ordinance No. 17-08: Amendment to Chapter 10 of the City of Eustis Code of Ordinances to Prohibit the Use of Simulated Gambling Devices

Mr. Schroth read Ordinance No. 17-08 by title on first reading: An Ordinance of the City Commission of Eustis, Florida; amending the Eustis Code of Ordinances, Chapter 10, to rename Article I from "In General" to "Gaming," add Division I, entitled "In General," and add Division II, entitled "Prohibition of Simulated Gambling Devices,"; prohibiting the use of simulated gambling devices; establishing exemptions; providing for penalties and injunctive relief; providing for conflicts of law; providing for severability; providing for codification of law and providing an effective date.

Lori Barnes, Development Services Director, stated staff previously reviewed the issue of the simulated electronic gambling devices in April. She added that the proposed ordinance is based on the Seminole County ordinance.

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 Commissioner Sabatini, seconded by Commissioner Gnann-Thompson, to Approve Ordinance No. 17-08 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

V. OTHER BUSINESS

16384 Discussion regarding Commission public appearance protocols

Commissioner Sabatini recommended that staff should coordinate appearances and direct Commissioners where they should gather if they are attending.

Mayor Morin agreed and stated it is more an administrative issue. He commented on Commission attendance at various public events.

Tom Carrino, Economic Development Director, stated staff would be happy to coordinate attendance at those events that the City is closely tied to; however, they will do what they can for outside-sponsored events.

CONSENSUS: *It was a consensus of the Commission to allow staff to coordinate the Commission's attendance at City events and assist with those non-City related.*

16385 Discussion regarding City invocation policy

Commission Gnann-Thompson noted that the current City policy stated "an invocation", which usually means one. She indicated she did not feel the need to amend the policy

Commissioner Bob concurred stating that everyone just need to respect others.

CONSENSUS: *It was a consensus of the Commission to leave the policy as is.*

VI. FUTURE AGENDA ITEMS

Commissioner Sabatini noted the presence of the Barnwood Barbecue owner and stated the need for the City to assist those businesses that are less visible than others with signage, especially those where there is construction ongoing.

Commissioner Gnann-Thompson expressed support for directional signage showing what exists downtown.

The Commission discussed the possibility of having staff provide a recommendation.

Commissioner Gnann-Thompson expressed concern regarding an upcoming Duke Energy project which would place large poles through the City.

Mr. Neibert indicated he would ask them to provide a report at the next meeting.

Commissioner Bob requested the City have a rate reduction during the first week of August for use of the splash pad and pool with Mr. Neibert indicating the City did that the previous year and would do it again.

Commissioner Bob then asked the Commission to discuss putting term limits on the ballot as a charter amendment.

The Commission discussed limiting Commissioners to two terms.

Mr. Neibert indicated he would place the discussion on the next agenda with sample ordinances under "other business".

Mayor Morin suggested also discussing other Commission issues such as selection of the Mayor and Vice Mayor noting lack of continuity with other entities.

Commissioner Sabatini commented on the number of new commissioners and complimented the Mayor on his running of the meetings. He then commented on the use of the gavel and suggested discussing disagreement rather than gaveling other commissioners due to the need to allow free speech among the commissioners.

Vice Mayor Aliberti agreed that free speech is important and that each commissioner has the right to explain their position but in no way should a commissioner be offensive. She emphasized that an individual does not have to use offensive terms to get their point across.

Commissioner Gnann-Thompson stated that commissioners should show respect for each other, regardless of whether or not they agree. She further commented on commissioners' public behavior and stated they need to remember they are representing the City when they are in the public and shouldn't just do or say anything.

Mayor Morin concurred with the need for commissioners to remember that, wherever they are, they are representing the City.

Vice Mayor Aliberti reported that residents have contact her regarding the City's millage rate. She stated her belief that the millage rate is fine and noted that, since 2007, her property taxes went down \$153.

Commissioner Bob suggested inviting the new School Superintendent to a workshop to help determine how the City can help the schools.

Mayor Morin commented on whether or not it would be legal to restrict Commission seats to property owners with Mr. Neibert stating that would not be possible.

Mayor Morin asked about having "speed signs" installed at Magnolia and Bay for the crosswalks.

Mr. Neibert indicated that staff is still waiting on the state report regarding Grove Street. He stated he would have Rick Gierok provide a status report on the information to be received from FDOT regarding Grove and Bay Streets.

VII. COMMENTS

City Commission

Commissioner Bob announced the July First Friday event.

Mayor Morin announced the CRA Community meeting would be held Tuesday, June 27th at the Eustis Library meeting room at 5:30 p.m. He cited the Lake Eustis Sailing Club Summer Sailstice event to be held the next Saturday.

Commissioner Sabatini reported on the Elks Lodge Flag Day event and noted a similar event would be held in Tavares on Saturday.

Mayor Morin announced the Salvation Army, Commissioned Beyond Borders and Lake Cares food distribution event with breakfast to be provided by the Salvation Army on June 23rd.

Vice Mayor Aliberti announced the Downtown Cruise-in would be held June 24th from 4 to 8 p.m. in downtown Eustis. She noted that would be the same day as the sailing event.

Commissioner Gnann-Thompson announced the City's Independence Day celebration with fireworks would be held on Saturday, July 1st. She explained the City's celebration was being held on the 1st to allow everyone the ability to attend all of the area celebrations. She reviewed the list of activities for the 1st.

Mayor Morin distributed to the Commission copies of the minutes from the April 26th Lake Sumter MPO meeting. He explained that, at the May meeting, the MPO director decided to resign. He cited a letter sent by the Sumter County Commission to the Governor and to the Lake County Board of Commissioners. He stated they are discussing eliminating the Lake Sumter MPO and joining the Orlando Metropolitan Planning Association. He asked to have discussion at the next Commission meeting.

The Commission discussed the need for Lake County to retain local representation, work done for the area by the MPO Director, and the possibility of having the Mayor send a letter to the Governor expressing the Commission's sentiments.

CONSENSUS: It was a consensus of the Commission to discuss the MPO at the next regular meeting.

City Manager

Mr. Neibert reported that, as soon as the City sends a check to Duke Energy, they should begin the streetlight work within two weeks. He commented on his attendance at the Panera ribbon cutting.

City Attorney - None

Mayor

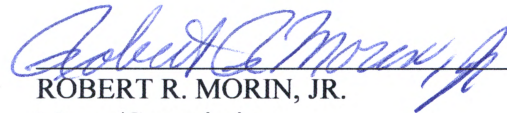
Vice Mayor Aliberti asked when the new brewery would open with Ms. Barnes indicating she was unsure; however, they have not yet applied for their business tax receipt.

Commissioner Sabatini noted there would also be a brewery going into the Ironwork Building and there might be a third as well.

VIII. ADJOURNMENT - 7:01 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.