



City of Eustis, Florida

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

Meeting Minutes – Final* City Commission

Thursday, April 20, 2017

6:00 PM

City Hall

INVOCATION: Moment of Silence

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 (arrived 6:03 p.m.); Commissioner Linda Bob; and Mayor Robert Morin

I. AGENDA UPDATE

II. APPROVAL OF MINUTES

16352 April 6, 2017 - City Commission Workshop
April 6, 2017 - Regular City Commission Meeting

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

III. PRESENTATIONS

16347 Distinguished Budget Presentation Award for the City's FY2016-17 Annual Budget

Colleen Scott, Finance Director, presented to the Commission the Government Finance Officers' Association Distinguished Budget Presentation Award for Fiscal Year 2016-17. She reviewed the criteria for the award and stated it is the second consecutive year the City has received the award which indicates the City's budget meets the highest principles of governmental budgeting.

IV. AUDIENCE TO BE HEARD

Bob Tackett addressed the Commission regarding his previous request to have some "stop" signs installed in the Key Avenue and Lake Gracie Drive area. He noted a change in the speed limit from 15 mph to 25 mph and the presence of a traffic speed indicator.

Ron Neibert, City Manager, explained the device was utilized to study the traffic counts and speed with Mr. Tackett indicating it was never activated before being removed.

Mr. Neibert responded he would talk with the Police Chief about the situation with Mr. Tackett indicating the issue is the high rate of speed in close proximity to pedestrians.

B. E. Pace noted the speed limit was previously lowered around Lake Gracie Drive. He emphasized the need to have the lower speed limit all the way around the lake due to walkers.

Mr. Neibert indicated that the 15 mph is not enforceable but that the minimum allowed by law is 25 mph.

James Trent thanked the Mayor and Commission, the Police Chief and the City Manager regarding improvements he has seen in community issues such as street lighting and speeding. He complimented the Police Department on their response to public concerns.

Gail Isaac Thomas also thanked the Commission for the new street lights and encouraged the City to proceed with the improvements to Palmetto Plaza with Mr. Neibert reporting that the funding has been received and the City will be going out to bid for the engineering.

Pinky Blake expressed concern about the renting of Carver Park. She asked why they have to go through other channels rather than just through the normal rental procedure. She noted she was directed to complete an event application with the Police Department. She asked why some people can have bounce houses and not others. She commented on a 2011 event she put on and problems with lack of sufficient parking around Carver Park and the park on Getford.

Mr. Neibert offered to meet with Ms. Blake regarding events. He directed Ms. Blake to file an application with Parks & Recreation to reserve the park for her event in November, then staff will determine if it needs a special event application.

V. CONSENT AGENDA

- 16346 Reappointment to the Eustis Housing Authority - Faye Weaver
- 16349 Resolution No. 17-30: Phillip's Place Subdivision Final Plat
- 16353 Resolution No. 17-34: Dedication of a Perpetual Utility Easement to Sumter Electric Cooperative, Inc. for the Eastern Wastewater Treatment Facility

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

VI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

- 16348 Resolution No. 17-31: Site Plan Modification - Trout Lake Hybrid Wetland Treatment Technology (HWTT) Dry Season Pumping Facility

Derek Schroth, City Attorney, announced Resolution No. 17-31: A Resolution of the City Commission of the City of Eustis, Florida approving a modification to an approved site plan to allow a dry season pump, intake structure and underground piping on five acres located on Trout Lake Nature Center and Country Club Mobile Home Park Canal.

Roland Magyar, Senior Planner, explained the request to modify the site plan for the Trout Lake Hybrid Wetland Treatment Technology (HWTT) facility. He stated the purpose of the modification would be to construct a dry season pump and conveyance to the HWTT which would improve the water quality in Trout Lake and reduce pollutant loadings to Lake Eustis. He reviewed the proposed construction stating that it would be primarily underground which would minimize any noise. He cited the required easements for the project including: the City, Country Club Manor Mobile Home Park, Trout Lake Nature Center and a CR 44 right-of-way utilization permit. He stated staff's recommendation for approval with the condition of them receiving the required easements. He announced that the Florida Dept. of Agriculture Water Quality staff would host a tour of the facility on April 25th at 11:00 a.m. and that all of the Commissioners were invited.

Mr. Schroth opened the public hearing at 6:26 p.m.

Dorothy Hass, resident of Country Club Manor and residing four houses from the location of the pump, questioned how much noise would result and how much would be underground as they were informed it would all be underground.

Mr. Magyar explained there would have to be an aboveground access to the underground pump.

Ms. Hass expressed concern about there being an obstruction to boat traffic with Mr. Magyar indicating it would not obstruct the boats unless they had a very deep draft.

There being no further public comment, the hearing closed at 6:29 p.m.

A motion was made by Commissioner Sabatini, seconded by Vice-Mayor Aliberti, to Approve Resolution No. 17-31. The motion carried by the following vote:

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

16350 Resolution No. 17-32: Vacation of Unnamed Alley

Mr. Schroth announced Resolution No. 17-32: A Resolution of the City Commission of the City of Eustis, Florida; authorizing the vacation and abandonment of an alley bisecting Block 36 of the official map of Eustis, FL running east to west per Ordinance 16-12.

Mr. Magyar explained the request to vacate an unnamed alley which runs east to west, parallel to E. McDonald Ave. and E. Magnolia Ave., between N. Grove St. and N. Dewey St. He stated the alley would stay open but was requested to be vacated to allow for future redevelopment. He noted the location of a stormwater inlet and electric lines in the alley. He stated the recommended conditions for approval as follows: 1) Alley right-of-way would remain open as an easement to provide private access to parking and access to existing stormwater and electric utilities; and 2) the alley would be maintained by the property owners.

The Commission questioned what is the benefit of the vacation with Mr. Magyar explaining they need additional acreage to meet development criteria and the alley will become a private alley.

Mr. Schroth opened the public hearing at 6:36 p.m. There being no public comment, the hearing was closed at 6:36 p.m.

A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 17-32. The motion carried by the following vote:

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

16354 Resolution No. 17-27: Agreement with State Attorney for prosecution of City codes

Mr. Schroth announced Resolution No. 17-27: A Resolution of the City Commission of the City of Eustis, Florida, accepting and approving an agreement between the City of Eustis and the Office of the State Attorney to reimburse the state for the cost of State Attorney prosecution on certain criminal violations of the City of Eustis code; providing an effective date.

Lt. Gary Winheim explained the purpose of the proposed agreement which would allow the State Attorney to prosecute City codes at a lower cost than hiring a private attorney to do so.

The Commission questioned the process used for filing of charges and prosecution with Lt. Winheim explaining the process and the reduced cost at only \$50 per hour instead of standard attorney's fees.

Mr. Schroth opened the public hearing at 6:39 p.m. There being no public comment, the hearing was closed at 6:39 p.m.

A motion was made by Commissioner Sabatini, seconded by Vice-Mayor Aliberti, to Approve Resolution No. 17-27. The motion carried by the following vote:

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

VII. OTHER BUSINESS

16343 Consideration of Noise Ordinance Provisions

Mr. Neibert noted the previous request made by the Commission to review the City of Mount Dora noise ordinance. He commented on the comprehensiveness of the Mount Dora ordinance and cited specific criteria within the ordinance.

The Commission confirmed that violations of the ordinance would be prosecuted by the State Attorney and discussed how the ordinance would be enforced with decibel meters. A suggestion was made regarding the possibility of comparing the ordinance to other cities.

Mr. Schroth commented on his representation of Jeremiah's Restaurant in Mount Dora and issues Mount Dora was having with noise in the downtown area. He stated it is a good ordinance and could be discussed on first reading.

Mr. Neibert suggested holding a short workshop prior to the next meeting to discuss the individual provisions and then it could be brought back on first reading at the following meeting.

CONSENSUS: It was a consensus of the Commission to hold a workshop at 5:30 p.m. prior to the May 4th meeting.

16351 Discussion Item: Possible Revisions to Eustis Code of Ordinances to Prohibit or Regulate Simulated Gambling Devices

Lori Barnes, Development Services Director, explained the increasing issue with simulated gambling devices and previous problems with internet cafes in Florida. She cited the number of sites that have been targeted for robberies. She noted the number of area cities and counties that either prohibit the devices or strictly regulate them. She reviewed some proposed code revisions, possible benefits and issues stating the City has three alternatives: 1) Adopt an ordinance to prohibit the devices; 2) Adopt an ordinance to regulate simulated gambling devices and establishments; or 3) Take no action with staff continuing to discourage new establishments if they do not meet state statutes. She requested Commission direction on the issue.

CONSENSUS: It was a consensus of the Commission for staff to bring back an ordinance prohibiting the devices.

16355 Sign Regulations Summary & Administrative Processes Information

Ms. Barnes provided an overview of the City's sign regulations and the related administrative processes. She explained the recent changes to the sign regulations to bring them into compliance with the Supreme Court decision regarding signage. She cited the information and forms available on the City's website. She explained the new application form was designed to streamline the sign permit process and implementation of a sign permit decal which allows code enforcement to easily determine that a sign has been permitted. She explained the department's efforts to educate the business community about the new sign regulations through personal contacts. She commented on the success of the voluntary compliance. She reviewed the proposed revision to the sign permit fees and stated that staff would bring forward the revised fees for Commission action in June.

The Commission questioned the prohibition against balloons with Ms. Barnes citing an issue with a previous request for large balloons or inflatables.

16356 Renewal of Lake-Sumter MPO contract

Mr. Neibert explained the City has received the Lake-Sumter MPO (Metropolitan Planning Organization) renewal contract and requested direction from the Commission regarding the renewal and the additional funding being requested. He cited the benefits the City has received through its membership in the MPO. He noted there have been recent issues with the MPO; however, staff believes they are taking action to remedy the issues. He added the new contract includes an increase to funding to be used for discretionary funds but it does not stipulate the amount to be paid by each member. He stated he would obtain clarification of the amount before bringing the contract back for consideration.

The Commission discussed the recent issues surrounding the MPO and the City's need for their expertise in the near future.

CONSENSUS: It was a consensus of the Commission for Mr. Neibert to clarify the amount of requested additional funding and then to bring the renewal agreement forward for consideration.

VIII. FUTURE AGENDA ITEMS - None**IX. COMMENTS****City Attorney**

Mr. Schroth announced that Leonard Wheeler had filed an appeal to the City's injunction; however, it was not filed timely. He stated the appellate court would probably strike it on those grounds; however, he would bring it to the Commission as soon as he receives it.

City Manager

Mr. Neibert reported that that the previously scheduled ISBA meeting had to be rescheduled due to a publishing issue with the City of Mount Dora. The meeting has now been scheduled for May 15th at 9:30 a.m. in the Commission Room. He invited any available Commissioners to attend the meeting.

City Commission

Commissioner Gnann-Thompson thanked all of the involved emergency personnel for their efforts to contain the fires out SR 44 near Royal Trails. She expressed concern regarding the condition of Lake Gracie and stated the need to find funding for remediation.

Mr. Neibert explained that the estimated cost for remediation of the lake was \$185,000; however, the City was only awarded \$80,000 from the Lake County Water Authority for the project. He added that County Commissioner Campione is working to identify additional funding for the balance.

Mayor Morin asked Chief Swanson to provide an update on the wildfires with Chief Swanson reviewing the wildfire situation and the City's involvement.

Commissioner Sabatini reported on the Lake Eustis Museum of Art (LEMA) activities and Chamber reorganization.

Vice Mayor Aliberti noted her and the Mayor's attendance at an open house for a new facility on Dillard Street for a martial arts school.

Mayor Morin explained they are trying to increase their student population to include students who can't afford to attend with Vice Mayor Aliberti noting they have received their nonprofit status in order to fund raise for that.

Vice Mayor Aliberti then noted the upcoming Eustis Music/Bike Festival.

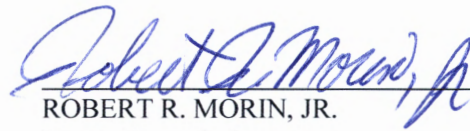
Mayor Morin announced the Vietnam Veterans Memorial Moving Wall would be displayed April 27th through 30th and cited a number of related events. He thanked Charlene Edwards and Michael Pergola for their efforts with LEMA to bring the wall to town. He announced the first Children's Breakfast of Hope sponsored by Lifestream that he and his wife would be participating in.

Commissioner Sabatini announced the grand opening of Ray Powers' I Know We Business Insurance to be held on Friday.

X. ADJOURNMENT - 7:22 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.