



City of Eustis, Florida

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

Meeting Minutes – Final* City Commission

Thursday, January 19, 2017

6:00 PM

City Hall

INVOCATION: Pastor Renee Hill, Win.1.Ministries

PLEDGE OF ALLEGIANCE: Vice Mayor Aliberti

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

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

I. AGENDA UPDATE

II. APPROVAL OF MINUTES

16278 January 5, 2017 - Regular City Commission Meeting

A motion was made by Commissioner Sabatini, seconded by Commissioner Gnann-Thompson, to approve the Minutes. The motion PASSED by an unanimous vote.

III. PRESENTATIONS

16272 Presentation regarding the Florida Sunshine Law and ethics laws

Derek Schroth, City Attorney, addressed the Commission and presented information regarding the Sunshine Law, the Florida ethics law and handling of public records. It was noted that all Commissioners are required under state statute to obtain four hours of Sunshine and ethics law training each year.

16270 Presentation regarding Affordable Housing

Lori Barnes, Development Services Director, provided to the Commission an overview of the various affordable housing programs, Federal Fair Housing Act, affordable housing objectives within the City's Comprehensive Plan, the definition of area median income, level of poverty within the City, and existing low income housing within the City.

The Commission questioned if there is a way to track the number of units homed by current area residents with Ms. Barnes indicating the City does not have the ability to require the complexes to provide documentation or to restrict housing to local residents only as that may be in violation of the Federal Fair Housing Act.

The Commission asked about the use of tax credits by developers with Ms. Barnes explaining the approval process for the tax credit applicants.

IV. AUDIENCE TO BE HEARD

Commissioner Sabatini asked about Commissioners bringing up an item for discussion and whether an audience member could comment on it at that time.

Derek Schroth, City Attorney, explained the City does not specifically follow Robert's Rules of Order but provides the Mayor with discretion in allowing public comment. He stated there are certain

items, such as quasi-judicial items, that require public comment by law but, otherwise, it is at the discretion of the Mayor and Commission.

Leonard Wheeler addressed the Commission regarding public records he had requested and recommended that the Commission obtain copies. He commented on the City's lawsuit against him and explained his intent to file a lawsuit against the City. He stated the County told him the City owns Kurt Street and commented on the Valencia Grove complex. He urged the City to not accept Kurt Street from the County due to the lack of curbing and drainage. He commented on the recent presentation by Phil Malley regarding damage to his property by runoff. He reviewed the history of the sidewalk along Kurt Street. He emphasized the damage to Seminole Avenue due to runoff from Kurt Street. He asked the City to provide documentation it does not own the intersection at Seminole and Charlotte.

Nan Cobb informed the City that she was elected the 2017 Chamber of Commerce president and cited their upcoming events.

Dennis Lima addressed the Commission regarding an issue with his water bill on Hermosa Drive. He complimented the City's water department staff for their assistance. He explained they were billed for 83,000 of gallons of water in November when their normal bill is between 1,000 and 2,000 gallons. He explained the discussion between him and City staff and change out of the meter. He stated they have paid all of their bills except the billing for November.

Ron Neibert, City Manager, explained the City has held the November amount in abeyance while testing the meter. He stated he has offered to finance the \$600 due over several months and waive the late fees. He stated the meter, once pulled, tested accurate.

Mr. Lima emphasized he wouldn't mind paying it if they owed it but no way they could utilize that much water.

The Commission suggested that staff find out how other cities handle similar cases and confirmed that the reading on the original meter was verified as correct. It was suggested that the City Manager and staff take one more look at the situation.

Mr. Neibert indicated he would continue to hold the November amount in abeyance until the next meeting.

V. CONSENT AGENDA

- 16269** Resolution No. 17-03: Release of Lien, 1212 Wall Street, Code Enforcement Case #15-00069
- 16273** Appointment to Historic Preservation Board - Raechel LaFountain
- 16274** Appointment to the Historic Preservation Board - Matthew Kalus
- 16275** Appointment to Code Enforcement Board - Stephanie L. Carder
- 16276** Appointment to Fire Pension Board - Jeffrey P. Stephan

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 Bob; Commissioner Aliberti; Commissioner Gnann-Thompson; Commissioner Sabatini; and Commissioner Morin

VI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS**16271 Resolution No. 17-02: Champlain Preliminary Subdivision Plat on E. Herrick Avenue**

Mr. Schroth announced Resolution No. 17-02: A Resolution of the City Commission of the City of Eustis, Florida, approving a preliminary subdivision plat with waivers for the Champlain Subdivision, a 3-lot attached single family subdivision, on approximately 0.34+/- acres, located at 115, 117, and 119 E. Herrick Avenue.

Roland Magyar, Senior Planner, explained the applicant has asked for the Commission to continue consideration of the resolution until February 2nd due to a scheduling conflict.

Mr. Schroth opened the public hearing at 7:20 p.m. There being no public comment, the hearing was closed at 7:20 p.m.

A motion was made by Commissioner Sabatini, seconded by Commissioner Aliberti, that Resolution No. 17-02 be continued to February 2, 2017. The motion PASSED by an unanimous vote.

VII. OTHER BUSINESS**16277 Appointment to Code Enforcement Board/Fire Pension Board - James P. Hagarty**

Mr. Neibert recommended the appointment of James Hagarty to both the Eustis Firefighters Pension Board and the Code Enforcement Board.

A motion was made by Commissioner Sabatini, seconded by Commissioner Aliberti, to appoint James P. Hagarty to both the Firefighters Pension Board and the Code Enforcement Board. The motion PASSED by an unanimous vote.

VIII. FUTURE AGENDA ITEMS

Commissioner Sabatini noted the recent death of former Mayor Dougal (Buddy) Buie. He cited a number of his accomplishments and benefit to the City. He suggested to have the street he lived on given a memorial street name in his honor. He noted Resolution No. 14-76 which adopted a naming policy. He asked if the request could be placed on the next Commission agenda.

The Commission expressed support for the memorial.

A motion was made by Commissioner Sabatini, seconded by Commissioner Aliberti, to have consideration of a memorial street name honoring Buddy Buie placed on the next agenda. The motion PASSED by an unanimous vote.

IX. COMMENTS**City Commission**

Commissioner Gnann-Thompson noted the upcoming African-American Heritage Festival on February 18th.

Vice Mayor Aliberti cited the upcoming Georgefest events.

Commissioner Bob announced the upcoming Christian Comedy Show also on February 18th and the Eustis Police Department Citizen's Academy. She highlighted her experience when she attended the academy and the benefits to the citizens.

City Manager

Mr. Neibert reported on the complaint by Mrs. Haupt regarding a tree in the right-of-way near her home. He stated the City arborist has looked at the tree and it is healthy and not causing any damage to her home so the City cannot remove it. He reported on meetings he had with two County Commissioners regarding the ISBA.

Vice Mayor Aliberti noted an article in the Daily Commercial regarding a local pastor who is turning a bar into a community church. She commented on their outreach programs including potluck dinners and woodworking classes.

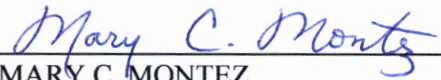
City Attorney

Mr. Schroth explained the code enforcement lawsuit against Leonard Wheeler with a hearing scheduled for February 1st. He confirmed that if Mr. Wheeler cures the violations prior to the hearing he would be authorized to dismiss the suit.

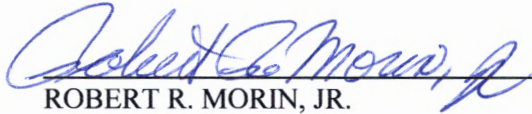
Mayor

Mayor Morin commented on the Martin Luther King Day program at Eustis Middle School. He noted the new play being performed by the Bay Street Players.

X. ADJOURNMENT - 7:40 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.