APPROVED: 10/20/2016

City of Eustis, Florida

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

Meeting Minutes – Final*
City Commission

Thursday, October 13, 2016 | **6:00 PM** | **City Hall**

INVOCATION: Rev. Phil Barnes, Orange Ave. Church of Christ

PLEDGE OF ALLEGIANCE: Commissioner Gnann-Thompson

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

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

Mayor Holland announced that Commissioner Morin was not present due to a death in his family.

Present: 4 - Commissioner Carla Gnann-Thompson; Vice-Mayor Karen LeHeup-Smith; Commissioner Linda Bob; and Mayor Michael Holland

Absent: 1 - Commissioner Robert Morin

I. AGENDA UPDATE - None

II. APPROVAL OF MINUTES

16206 September 22, 2016 - Regular City Commission Meeting

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Gnann-Thompson, for Approved. The motion carried by the following vote:

Aye: 4 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

III. PRESENTATIONS

16212 Proclamation declaring October as "Bullying Prevention Month"

Mayor Holland commented on the problem with bullying in schools and read a proclamation declaring October as "Bullying Prevention Month". He announced that a resolution would be considered at the October 20, 2016, Commission meeting.

Robin Douglas, Lake County Anti-Bullying STAR Clap, explained the history and creation of the organization and issues she had with the school system in dealing with bullying of her son. She noted that Leesburg and Groveland had also done proclamations and expressed appreciation.

IV. AUDIENCE TO BE HEARD

Brad Carroll, Eustis Fire Union President, explained the history of the union's support of cancer prevention and care and their fundraising for the Waterman Foundation to assist with paying for mammograms for men and women. He announced they would be selling t-shirts and bracelets for their 2016 fundraiser. He noted they are designed by the firefighters and stated they would be on sale after the meeting and at the fire station.

Gail Isaac-Thomas announced the next Christian Comedy Show would be held on November 19th. She also commented on discussion at the CRA community meeting. She expressed concern about the change in name of the Golden Seniors organization.

Ron Neibert, City Manager, explained he spoke with the Parks and Recreation Director who wanted to rebrand the program while instituting some new activities.

Ms. Isaac-Thomas commented that the participants were not involved with the name change and the group had t-shirts imprinted with the Golden Seniors.

Mr. Neibert offered to meet with her and Joe LaPolla, the Parks and Recreation Director.

Lori Barnes, Development Services Director, announced the resignation of the City's Building Official Sheila Denoncourt and introduced the new Building Official Jim Hardy.

V. CONSENT AGENDA

Commissioner Bob asked to remove Resolution No. 16-83 from the Consent Agenda.

16204 Resolution No. 16-80: Approval of Change Order for Evergreen Construction Management in the amount of $14,977.50

16205 Resolution No. 16-85: Approval of Annual Purchases in Excess of $50,000

16200 Resolution No. 16-87: Reduction of Fine - 308 Palm Avenue, Code Enforcement Case #14-00153

16203 Resolution No. 16-88: Award of RFP for Information Technology Support Services.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Gnann-Thompson, to approve the remaining Consent Agenda items. The motion carried by the following vote:

Aye: 4 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

VI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

16202 Resolution No. 16-83: Request for Extension of Time for Sunstar Grove Conceptual Plan

Commissioner Bob stated her desire that the resolution be postponed until the full Commission is present. She confirmed that the development is being done by the same developers of the Valencia Grove complex. She expressed concern about the development placing a greater strain on the City's services.

Ms. Barnes explained the developer has asked for an extension in order to allow them time to apply in the new federal application cycle. She stated that the new application would not include a City contribution and, if funded, the plan would still have to go through the formal approval process.

A motion was made by Commissioner Bob, seconded by Commissioner Gnann-Thompson, to postpone Resolution No. 16-83 to the October 20, 2016 meeting. The motion carried by the following vote:

Aye: 4 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

16201 Resolution No. 16-82: Site Plan Modification with Waivers for Eustis Retail Center-17325-17395 US Hwy. 441

Derek Schroth, City Attorney, announced Resolution No. 16-82: A Resolution of the City Commission of the City of Eustis, Florida; approving a Modified Site Plan with waivers to the approved site plan with waivers for Eustis Retail Center (Res. 14-77) to eliminate the landscape buffer walls on approximately 9.47 acres located at 17325 US Hwy. 441.

Roland Magyar, Staff Planner, reviewed the proposed modifications to the Eustis Retail Center site plan to eliminate the required buffer walls and stated staff's recommendation as follows: 1) To eliminate the east and west buffer walls; and 2) Eliminate the eastern landscaping requirement and require the western landscaping.

Mr. Schroth opened the public hearing at 6:34 p.m. There being no public input, the hearing was closed at 6:34 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 16-82. The motion carried by the following vote:

Aye: 4 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

16208 Resolution No. 16-84: Site Plan Modification with Waivers for Randazzo Storage Facility at 2200 CR 452

Mr. Schroth announced Resolution No. 16-84: A Resolution of the City Commission of the City of Eustis, Florida; approving a modification with waivers to an approved site plan on approximately 4.39 acres located at 2200 CR 452, Eustis FL.

Mr. Magyar explained the requested modification to the Randazzo Storage site plan with the development to be constructed in three phases, reviewed the requested changes and waivers, and stated staff's recommendation for approval as follows: 1) Allow the project to be phased with Phase I to be completed by October 2017, Phase II to be completed by October 2018, and Phase III to be completed by October 2019; 2) Allow outdoor storage until January 1, 2020; 3) Allow a temporary office structure during Phase I; 4) Allow a permanent structure in Phase III as a manager office/security residence with a restriction that it be for employee use only and could not be rented or sold; and 5) Waiver of the landscaping for the railroad/wetland frontage.

Mr. Schroth opened the public hearing at 6:41 p.m. There being no public comment, the hearing was closed at 6:41 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 16-84. The motion carried by the following vote:

Aye: 4 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

SECOND READING

16192 Ordinance No. 16-26: Issuance of Eustis Series 2016 Water and Sewer Revenue Bonds

Mr. Schroth read Ordinance No. 16-26 by title on second and final reading: An Ordinance of the City of Eustis, Florida authorizing the issuance of not exceeding $8,500,000 Water and Sewer Revenue Bonds, Series 2016 to finance the cost of certain system projects; pledging a lien on the net revenues of the combined water and sewer system to secure the payment thereof; providing for the rights of the holders of such bonds; providing certain other matters in connection therewith and providing an effective date.

Mr. Schroth opened the public hearing at 6:42 p.m. There being no public comment, the hearing was closed at 6:42 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Gnann-Thompson, to Adopt Ordinance No. 16-26 on second reading. The motion carried by the following vote:

Aye: 4 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

16207 Resolution No. 16-86: Approving Remaining Terms of Eustis Series 2016 Water & Sewer Bond Issuance

Mr. Schroth announced Resolution No. 16-86: A Resolution supplementing Ordinance No. 16-26 of the City of Eustis, Florida; authorizing and approving the negotiated sale of not to exceed $8,500,000 in aggregate principal amount of City of Eustis, Florida Water and Sewer Revenue Bonds, Series 2016, to finance the costs of certain improvements to the city's water and sewer system and to pay transaction costs, all subject to the satisfaction of certain conditions contained herein and in said ordinance, and subject to the terms and conditions of a bond purchase contract; approving the forms of and authorizing the execution of such purchase contract, a disclosure dissemination agent agreement, and a registrar and paying agent agreement; delegating to the Mayor, Vice Mayor, or City Manager the authority to award the sale of such bonds to Stifel, Nicolaus & Company, Incorporated, pursuant to a negotiated sale and subject to the conditions and terms set forth herein and in such purchase contract; authorizing the purchase of a financial guaranty insurance policy for all, some, or none of the bonds and, if all or some of the bonds are insured, authorizing execution of an insurance commitment; approving the form and distribution of a preliminary official statement and approving the execution and delivery of a final official statement; appointing the paying agent and registrar; providing certain other matters in connection therewith; and providing an effective date.

Mr. Schroth opened the public hearing at 6:44 p.m. There being no public comment, the hearing was closed at 6:44 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 16-86. The motion carried by the following vote:

Aye: 4 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

VII. OTHER BUSINESS

16209 City Manager's Compensation

Bill Howe, Human Resources Director, explained that the City Manager's contract provides for the Commission to consider the Manager's compensation from time to time. He noted that the Commission had already approved an annual salary increase of 2% for City employees with the option for an employee to take up to 40 hours of additional vacation time in lieu of the pay increase. He added that 19 employees had signed up for the option resulting in a savings of $19,000 per year.

Mayor Holland explained he spoke with City Manager Neibert regarding his compensation and Mr. Neibert requested that he be granted an additional 40 hours of leave time rather than a salary increase.

A motion was made by Commissioner Bob, seconded by Commissioner Gnann-Thompson, to modify the City Manager's contract to provide an additional 40 hours of vacation per year in lieu of a salary increase. The motion carried by the following vote:

Aye: 4 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

16210 Proposed Pay Classification and Internal Equity Study

Mr. Howe stated that in the past there was discussion regarding pay inequities specifically pertaining to senior staff assistants and administrative clerical positions throughout the City. He further explained that the inequities were between what different City employees were making not in comparison to other cities. He explained how the inequities arose adding that there are now significant inequity issues that need to be addressed and that could become a very litigious situation. He then stated that the City Manager asked him to go beyond the staff assistants and look for any inequities in other City positions. He noted that he did not look at nonsworn police and fire as those were addressed during union negotiations. He explained staff's recommendation that the City utilize an outside consultant to conduct a pay classification and internal equity study. He stated that the result would be new job descriptions and possibly modification to the pay plan with a final report of recommendations from the consultant. He stated that no adjustments would be made without Commission approval.

Mr. Howe then reported that there would be new federal guidelines going into effect in December that raise the minimum salary threshold for exempt employees. He stated that there are 39 exempt employees, seven of whom do not currently receive that minimum. He stated that the options are to either raise those employees to the minimum or change them to non-exempt and pay them overtime. He stated the justification for making those employees exempt would be part of the analysis.

The Commission questioned the quick turnaround for the exempt employees with Mr. Howe explaining the timeline for releasing the RFP and selecting the consultant. He indicated discussions with potential consultants have indicated that component could be completed within a few days. He commented on the need to assess the current job tasks of each position to make sure they still meet the test to be exempt. He indicated that the full report should be completed by February.

Mr. Howe explained how some of the inequities occurred and how the analysis would be done. He stated the expected cost would be not to exceed $35,000. He stated the need to have professional support for the decisions due to the possibly litigious nature of the issue.

The Commission questioned the funding for the study and the adjustments with Mr. Neibert explaining staff has done some preliminary work to identify an estimated cost and stated he was comfortable with the City being able to fund the cost.

The Commission questioned how any changes would be implemented with Mr. Neibert stating a rate change for the affected employees would be done based on the date the recommendations are approved by the Commission.

CONSENSUS: It was a consensus of the Commission for staff to proceed with the RFP and study.

16211 Proposed Retirement Plan Study

Mr. Howe explained the issues with the ICMA Retirement Plan and noting that other local cities have changed to another provider, Mass Mutual, with a cost savings. He explained that the company actually only serves as a record keeper and the actual costs are born by the employees not the City. He stated staff's recommendation that the City move to Mass Mutual under the bid done by the City of Leesburg. He reviewed the difference in cost between ICMA and Mass Mutual and then stated that there is also the issue of performance. He compared the performance of the milestone funds offered by ICMA and Mass Mutual noting that only one of ICMA's resulted in a profit. He further explained that the ICMA representative legally cannot provide advice to the employees regarding their investments. He stated that staff is recommending adding a fiduciary advisor. He stated staff's recommendation is that the City conduct an RFP for the financial advisor with the cost for that service already bundled into the Mass Mutual cost.

The Commission questioned how long Leesburg has been with Mass Mutual and if staff had spoken with any cities that had been with them longer with Mr. Howe indicating Leesburg had just changed to Mass Mutual and confirming that, at that time, staff had not spoken with any other cities.

The Commission expressed the desire that staff speak with other cities using Mass Mutual.

CONSENSUS: It was the consensus of the Commission for staff to move forward with the change and RFP.

VIII. FUTURE AGENDA ITEMS - None

IX. COMMENTS

City Commission

Commission Bob announced the Eustis Fall Festival to be held Oct. 29th. She commented on the differences between Eustis now and in the past and expressed concern regarding lower property values in the City.

Vice Mayor LeHeup-Smith thanked the City's employees for the hurricane coverage and debris cleanup. She cited the upcoming Lake Eustis Museum of Art (LEMA) closing reception for R. L. Lewis, the Parks & Recreation Golf tournament and the LEMA Country Hoedown dance.

Mayor Holland announced the upcoming Taste of the Golden Triangle at the Fairgrounds. He also thanked the Police, Fire, Public Works and all City staff for their work during the storm.

City Manager

Mr. Neibert also thanked City staff and noted he also had LEMA tickets.

City Attorney - None

Mayor

Mayor Holland noted an article in the Quality Cities magazine spotlighting the City's recent Pokemon events. He encouraged everyone to visit the City's new website and thanked everyone for their attendance.

X. ADJOURNMENT - 7:21 p.m.

Mary C. Montez

MARY C. MONTEZ
City Clerk

MICHAEL L. HOLLAND
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.