



City of Eustis, Florida

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

Meeting Minutes – Final* City Commission

Thursday, February 4, 2016

6:00 PM

City Hall

INVOCATION: Rev. Elijah Perry, Church of God by Faith

PLEDGE OF ALLEGIANCE: Commissioner Gnann-Thompson

CALL TO ORDER: Mayor Holland - 6:08 p.m.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

Present: 5 - Commissioner Carla Gnann-Thompson; Vice-Mayor Karen LeHeup-Smith; Commissioner Linda Bob; Commissioner Bill Brett; and Mayor Michael Holland

I. AGENDA UPDATE

Ron Neibert, City Manager, announced that Resolution No. 16-15 would be withdrawn and placed on a future the agenda.

II. APPROVAL OF MINUTES

16017 January 21, 2016 - City Commission Workshop
January 21, 2016 - Regular City Commission Meeting

A motion was made by Commissioner Bob, seconded by Vice-Mayor LeHeup-Smith, to Approve the Minutes. The motion carried by the following vote:

Aye: 5 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; Commissioner Brett; and Mayor Holland

III. PRESENTATIONS

15306 Recognition of Eustis Wastewater Treatment Plant Operations

Rick Gierok, Public Works Director/City Engineer, explained the recognition and article by the national trade magazine - TPO (Treatment Plant Operator). He noted a presentation plaque provided by the magazine. He stated the past two years the wastewater treatment plant has won first place by the Dept. of Environmental Protection for the Operations and Performance Award and were recently informed they are also in consideration this year for the award. He and the wastewater treatment plant crew posed for a picture with the plaques.

The Commission congratulated the employees on the recognition and thanked them for their service to the community.

IV. AUDIENCE TO BE HEARD

Pastor Buddy Walker, Commissioned Beyond Borders Inc., addressed the Commission regarding the City's building on Clifford Street which was previously used for a neighborhood resource center. He stated their proposal to utilize the building for a "neighborhood empowerment center". He commented on their existing programs and reviewed their proposed programs in the information distributed to the Commission and how they coordinate with other local organizations.

Irene O'Malley, Executive Director of Lake Cares Food Pantry, reviewed the history of their organization and cited the number of Eustis residents they assisted in 2015. She commented on their distributions at the Mount Dora Martin Luther King Center with the approval of the Second Harvest Food Bank to operate an offsite distribution center. She expressed support for operating a similar site in Eustis in coordination with Pastor Buddy.

Mr. Neibert asked about the process used for distribution with Ms. O'Malley explaining how the food is packaged and distributed. She explained about the interview process to determine eligibility.

The Commission questioned how most clients reach the distribution center with Ms. O'Malley explaining most clients walk. If they arrive by car, they are carpooling.

Pastor Walker commented on the need to create additional micro-farms to grow more produce for distribution. He noted that the individual who previously coordinated the City's Cardinal Cove Community Garden left the area and cited the need to have someone new to coordinate with the community for use of the garden. He reviewed other programs assisting them and explained the intent for their use of the City building.

CONSENSUS: It was a consensus of the Commission to have the request placed on a future agenda for consideration with Commissioner Bob explaining she would not be voting when it is brought forward due to her being a member of the Legacy Church who works with Pastor Buddy.

Mr. Neibert confirmed it would be on the February 18th agenda.

Darius Kerrison, City resident, addressed the Commission regarding the upcoming "Christian Night Out" comedy show to be held following the African American Heritage Festival.

Julie Reilly, City resident, addressed the Commission regarding issues with home businesses in her neighborhood and the current business with music lessons.

Gail Isaac-Thomas, City resident, thanked City staff for the additional street sweeping in her neighborhood.

V. CONSENT AGENDA

- 16015** Resolution No. 16-14: Accepting \$4,766 from FY2015/16 Edward Byrne Memorial Justice Grant for implementation of Public Information Officer Program
- 16016** Resolution No. 16-16: Reduction of Fine, 919 Edgewater Circle - Case #15-00593
- 16021** Appointments to the Eustis CDBG Citizens Advisory Task Force (CATF) - Mike Brisson, Semon Brown, Marjorie Buckner, Bobbie Lucas, Gail Isaac-Thomas
- 16026** Appointment to Lake Sumter MPO Citizen Advisory Committee - Jerry Cobb

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Approve the Consent Agenda. The motion carried by the following vote:

Aye: 5 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; Commissioner Brett; and Mayor Holland

VI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

- 16020 Resolution No. 16-15: Site Plan (with Waivers) for Trout Lake Wetland Hybrid Treatment Technology Facility

This item was removed from the agenda for placement on a future agenda.

- 16023 Resolution No. 16-17: Interlocal Agreement between the City of Eustis and the City of Umatilla for Street Sweeping Services

Mr. Schroth announced Resolution No. 16-17: A Resolution by the City Commission of the City of Eustis, Lake County, Florida; executing an interlocal agreement between the City of Eustis and City of Umatilla, Florida, for street sweeping services.

Mr. Neibert explained the history of the proposed agreement for the City to provide street sweeping services to the City of Umatilla twice per month at a fee of \$1,000 per month.

Mr. Schroth opened the public hearing at 6:36 p.m.

Gail Isaac-Thomas spoke from the audience and asked that the agreement not interfere with the City's normal street sweeping activities.

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

A motion was made by Commissioner Brett, seconded by Vice-Mayor LeHeup-Smith, to Approve Resolution No. 16-17. The motion carried by the following vote:

Aye: 5 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; Commissioner Brett; and Mayor Holland

SECOND READING

- 16010 Ordinance No. 16-02: Conditional Use Permit Modification - Metal Building on Mount Homer Road

Mr. Schroth read Ordinance No. 16-02 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, modifying a Conditional Use Permit to change the proposed location of a previously approved metal building in a Mixed Commercial/Industrial Land Use District on approximately 0.62 acres south of Mount Homer Road and west of Dillard Road.

Mr. Schroth opened the public hearing at 6:37 p.m. There being no public comment, the hearing was closed at 6:37 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Adopt Ordinance No. 16-02 on second reading. The motion carried by the following vote:

Aye: 5 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; Commissioner Brett; and Mayor Holland

FIRST READING

- 16019 Ordinance No. 16-03: Design District Map Amendment - 76.2 Acres of City-owned property located on County Road 44 and Hicks Ditch Rd.

Mr. Schroth read Ordinance No. 16-03 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending the Design District Map in the Land Development Regulations; changing the map designation of approximately 76.2 acres of City-owned real property located south of County Road 44 and west of Hicks Ditch Road from Rural District and "conservation" to Suburban Corridor and Suburban Neighborhood, as more particularly described herein.

Lori Barnes, Development Services Director, reviewed Ordinance No. 16-03 and the proposed design district map amendment for 76.2 acres located south of CR44 and west of Hicks Ditch Road, as well as a portion lying farther south along Hicks Ditch Road. She explained the property currently is designated Rural District and "conservation", which will be changed to Suburban Corridor and Suburban Neighborhood. She further explained that the majority of the property has a future land use designation of Public/Institutional with approximately 11 acres designated Mixed Commercial/Industrial. She stated that none of the subject property has a land use designation of Conservation. She explained that the Land Development Regulations and Comprehensive Plan do not include a Conservation design district designation. She indicated that the LDR's require that all properties be assigned an Urban, Suburban or Rural design district unless they have a land use designation of Conservation.

Ms. Barnes explained that the land use classification determines the permitted uses while the design district designation regulates the uses through specific performance standards. She reviewed the existing land use designations of the subject property and what is allowed under each designation. She then stated that the proposed design district designations are Suburban Corridor along CR 44 and Suburban Neighborhood for the remaining property. She explained the need to assign performance standards to those properties and how the proposed districts are consistent with the surrounding properties.

The Commission questioned the need for the design districts with Ms. Barnes explaining that without a design district designation, there are no performance standards for those properties. She stated the rural design district is being changed due to it not being consistent with any of the surrounding designations.

The Commission questioned why the property south near Trout Lake does not have a Conservation land use.

Ms. Barnes provided a map showing the area and explained the property is governed by a conservation easement which was originally granted to the Audubon Society and then transferred to the Trout Lake Nature Center. She reviewed what would be permitted under the conservation easement and the prohibited uses. She stated the only areas that could be subject to future development are those areas without the conservation easement or a Conservation land use.

Mr. Schroth opened the public hearing at 6:47 p.m.

Joan Bryant, Trout Lake Nature Center, noted they had attended the community meeting regarding the proposal and complimented staff on the amount of property that will remain with a conservation land use designation. She expressed support for passage of the ordinance.

An unidentified woman in the audience commented on the presence of a manatee in Trout Lake.

Richard Kelly, City resident, commented on the natural state of the property and expressed opposition to the property being developed with the Commission assuring him that there are no plans to develop the property at this time.

Kay Edwards, City resident, asked the Commission to consider adopting a wildlife corridor.

There being no further public comment, the hearing was closed at 6:52 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Approve Ordinance No. 16-03 on First Reading. The motion carried by the following vote:

Aye: 5 - Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; Commissioner Brett; and Mayor Holland

VII. OTHER BUSINESS

16022 Request from Julie A. Reilly for Amendment to Home Occupation Regulations

Mr. Neibert explained the request from Julie Reilly regarding difficulties with home occupations in her neighborhood. He stated staff has spoken with the music teacher, Mrs. Eberhard, and stated they have not seen any violations. He further stated that any changes to home occupation regulations would have to be citywide and not for one neighborhood. He stated staff's recommendation that no changes be made to the home occupation regulations.

Ms. Reilly stated her understanding that Ms. Eberhard was to have only one student at a time and that it was not to affect the local traffic flow. She commented on problems she has observed, number of cars at the home and problems with children. She further commented on the other surrounding neighbors. She asked for an explanation of what the regulations are and cited problems with traffic.

Ms. Barnes stated that the regulations do prohibit certain types of home occupations. She stated the code does specifically allow instruction that handles one student at a time. She cited other restrictions including no traffic other than what would normally occur at a residence. She explained staff has spoken with Ms. Eberhard to ensure she is complying with the home occupation restrictions. She stated the Code Enforcement Supervisor has visited the neighborhood and has not observed any violations. She explained that, if the ordinance were amended, the current home occupation would be considered a nonconforming use and would be allowed to remain as long as they were located there.

Frances Eberhard, piano, violin and cello teacher, explained that there have been instances with parents who park in front of her home during the lesson. She stated she only teaches one student at a time and acknowledged there have been instances of one parent arriving as one is leaving. She stated she lost one student due to Ms. Reilly's surveillance.

The Commission asked if she could teach some of them in their homes with Ms. Eberhard explaining the difficulty in doing so. She acknowledged she previously was in a commercial space but had to change due to life circumstances. She stated that anyone from the City is welcome to come observe her lessons. She cited the amount of space dedicated to her lessons and stated it meets the criteria in the regulations. She explained that, prior to renting the home, she made it contingent upon her home occupation being permitted by the City. She reviewed her schedule of lessons and acknowledged a problem with siblings of the student playing in the neighborhood and indicated she had addressed the issue with the family.

The Commission discussed having the individuals sit down with City staff to attempt to resolve the issues, the difficulties with overlapping students, the challenges in attempting to change the ordinance to address the specific issues, and how individual issues could be addressed.

Ms. Reilly reiterated issues with children in neighboring yards and the amount of traffic and noted pictures she has regarding the excess traffic.

Dorsey Henderson, a Mount Dora resident, expressed support for Ms. Eberhard and noted her willingness to provide scholarships for students, free recitals and explained many students do not have pianos in their homes.

CONSENSUS: *It was a consensus of the Commission to not amend the ordinance with the Commission encouraging Ms. Reilly and Ms. Eberhard to try and resolve their issues.*

Ms. Reilly confirmed that she could bring the subject back to the Commission if she obtained additional information with possibly a petition of the surrounding property owners and photographs of the situation.

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

Commissioner Gnann-Thompson cited the Lake Technical College Career Expo to be held on February 17th.

Vice Mayor LeHeup-Smith announced the February First Friday event.

Commissioner Bob commented on the upcoming Heritage Festival activities. She encouraged everyone to participate as a community event. She emphasized the sameness between families regardless of race.

Mayor Holland also encouraged participation in the Heritage festival and parade.

Gail Isaac-Thomas reported that the Jones High School band would be in the parade.

Commissioner Brett announced the Downtown Cruise-In to be held on February 20th.

Mayor Holland noted that February is Black History Month and cited the Miss Eustis pageant to be held February 13th and Georgefest to be held February 26th thru 28th.

City Manager

Mr. Neibert noted that a workshop was previously scheduled for February 11th regarding the strategic plan. He requested permission to amend the agenda to discuss the creation of an interlocal service boundary agreement. He explained the provisions of such an agreement could have significant impact on the strategic plan

CONSENSUS: It was a consensus of the Commission to amend the workshop agenda to discuss the agreement as suggested.

Mr. Neibert then provided an update on Lake Gracie. He stated they had begun obtaining coring samples from the lake. Based on the results, staff would approach the Lake County Water Authority with a formal presentation and proposal for funding to implement a remediation plan based on the study findings. He added the coring sample results should be completed within three weeks.

City Attorney - None**Mayor**

Mayor Holland announced the City would be hosting 300 middle school students to teach them about City government. He commented on the work in Ferran Park and construction of the new splash pad being ahead of schedule. He cited Comedy Night to be held February 20th at the community building.

X. ADJOURNMENT - 7:33 p.m.


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.