



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 15, 2015

6:00 PM

City Hall

INVOCATION: Rev. Leon Bloder, First Presbyterian Church of Eustis

PLEDGE OF ALLEGIANCE: Vice Mayor LeHeup-Smith

CALL TO ORDER: Mayor Holland - 6:05 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Ron Neibert, City Manager, reported that Ordinance No. 15-27 had been withdrawn at the request of the applicant and confirmed with the City Attorney that Ordinance No. 15-26 would not be heard due to not being approved for transmittal by the Local Planning Agency.

II. APPROVAL OF MINUTES

15249 October 1, 2015 - Regular City Commission Meeting

A motion was made by Commissioner Bob, seconded by Commissioner Brett, 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. AUDIENCE TO BE HEARD

Gail Isaac-Thomas, City resident, addressed the Commission on behalf of the Christian Community Laugh Out Loud Show. She thanked those who attended and stated the next show would be February 20th.

Carla Wilson, Winter Springs, addressed the Commission regarding issues with carriage horse accidents and expressed opposition to approval of Ordinance No. 15-25.

Heather Murphy, City resident, expressed opposition to the horse-drawn carriages.

There being no further public comment, the floor was closed at 6:14 p.m.

IV. CONSENT AGENDA

15237 Resolution No. 15-79: Purchase in Excess of \$50,000 for Public Works Temporary Labor Services

15238 Resolution No. 15-80: Purchase of Asphalt in Excess of \$50,000

15239 Resolution No. 15-81: Purchase of Concrete in Excess of \$50,000

- 15242 Resolution No. 15-82: Request for Extension of Time for the Cove at Crooked Lake Project
- 15240 Resolution No. 15-83: Bid Award of Continuing Construction Management Services for Various City Projects
- 15241 Resolution No. 15-84: Bid Award for the Continuing Services Agreement for Concrete Sidewalk, Curb & Gutter Construction for Various City Projects
- 15246 Resolution No. 15-85: Purchase in Excess of \$50,000 for Tree Maintenance Services
- 15244 Appointment to Code Enforcement Board (CEB) - Curbelo
- 15245 Appointment to Eustis Firefighter Pension Board (EFPB) - Curbelo

A motion was made by Commissioner Brett, seconded by Commissioner Bob, 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

V. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

SECOND READING

- 15234 Ordinance No. 15-25: Amendment to Chapter 42, Code of Ordinances - Horse-Drawn Vehicle Franchise Agreements

Derek Schroth, City Attorney, read Ordinance No. 15-25 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Florida; amending Chapter 42, Franchises, Article I of the City of Eustis Code of Ordinances, and adding Article VII, to provide for franchise agreements for horse-drawn vehicles utilizing the public rights-of-way in and around the Central Business District and/or historic districts; providing for conflict with existing ordinances; providing for codification, severability, and effective date.

Lori Barnes, Development Services Director, reported that, since first reading of the ordinance, the City had received five email correspondence in opposition to the ordinance; however, none were City residents. She stated they were forwarded to the applicant Rene Davenport, Equine Villas owner, who provided a response to the concerns. She noted that Ms. Davenport was a vendor at the Explore Eustis event and she chose to end early due to the horses being tired.

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.

The Commission expressed concern on use of the horse-drawn carriages and noted their use in Mount Dora. They also questioned if either the police or fire department had any concerns.

Ms. Barnes reported that carriages are permitted on state roadways under state statute. She added that the proposed regulations have been reviewed by both the police and fire departments and changes were included based on police department comments. She also reported that the proposed routes do not involve prolonged time on the state roads only crossing at signalized intersections.

The Commission asked if issues arose during the first six months could the agreement be cancelled with Ms. Barnes indicating the City Manager has the authority to modify the agreements.

Mike Swanson, Fire Chief, noted they had horse drawn carriages in Collier County. He stated they had no problems with them there but noted they were seasonal there, not every day.

Lt. Gary Winnheim confirmed the police department was involved with development of the regulations and that the ordinance conforms to all state regulations.

A motion was made by Commissioner Bob, seconded by Commissioner Brett, to Adopt Ordinance No. 15-25 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

Mayor Holland confirmed with Mr. Schroth if a public hearing was required for either Ordinance No. 15-26 or 15-27. Mr. Schroth confirmed that a hearing was needed for Ordinance No. 15-27.

- 15248** Ordinance No. 15-26: Amendments to Chapter 100, Definitions and Chapter 109, Use Table of the Land Development Regulations (Pigeon Regulations)

Removed from the Agenda due to nontransmittal by Local Planning Agency.

- 15243** Ordinance No. 15-27: Conditional Use Permit - First Presbyterian Church - 204 South Center Street

Mr. Schroth asked if anyone in the public wanted to speak on the continuance or postponement of Ordinance No. 25-27. He opened the public hearing at 6:22 p.m. There being no public comment, the hearing was closed at 6:22 p.m.

Deferred at request of the applicant.

VI. FUTURE AGENDA ITEMS

Commissioner Bob asked for a workshop regarding projects or improvements planned for Carver Park and agreed for the City Manager to provide a written report instead regarding planned improvements for all of the parks.

VII. COMMENTS

City Commission

Commissioner Brett reported he had met with Johnny Saunders regarding Carver Park. He noted that he had also spoken with Mr. Neibert regarding what will be done at the park in the new fiscal year. He cited the improvements that will be completed in the 2015-16 fiscal year.

Commission Bob noted she had also met with Mr. Saunders.

Commissioner Gnann-Thompson announced the 2nd annual 5K for Waterman Hospital to be held October 18th. She encouraged participation with the Pink Army at Ferran Park. She complimented the Fire Department for their work with some Key Club members.

Vice Mayor LeHeup-Smith cited the Community Yard Sale to be held October 24th and the Fall Festival in Ferran Park set for October 31st. She reminded people to sign up for City information emails at eustis.org.

Mayor Holland cited the October 17th Cruise-in Classic Car Show and the Taste of Golden Triangle event to be held at the Lake County Fairgrounds on Tuesday, October 20th.

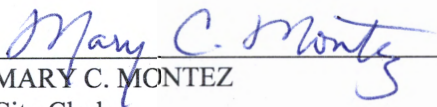
City Manager

Mr. Neibert introduced Fire Chief Mike Swanson who announced the selection of Scott Davis as Deputy Fire Chief. He stated they would have a formal pinning ceremony at the next meeting.

City Attorney - None**Mayor**

Mayor Holland encouraged everyone to be involved in the community and high school events. He asked for thoughts and prayers for the Livingston family who ran the Russell's Department Store for many years on the passing of Mrs. Livingston. He also noted that a former police officer, Harry Doremus, was in a traffic accident and was expected to be removed from life support.

VIII. ADJOURNMENT - 6:31 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.