



City of Eustis, Florida

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

Meeting Minutes – Final* City Commission

Thursday, September 17, 2015

6:00 PM

City Hall

INVOCATION: Pastor Renee Hill, Wi.N.1 Ministries

PLEDGE OF ALLEGIANCE: Commissioner Brett

CALL TO ORDER: Mayor Holland

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

I. AGENDA UPDATE - None

II. APPROVAL OF MINUTES

15226 September 3, 2015 - Regular City Commission Meeting

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

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

III. AUDIENCE TO BE HEARD

Pastor Rene Hill, Wi.N.1 Ministries, announced they will host their second Community Prayer Walk on November 7th at 9:30 a.m. beginning at 612 S. Bay St. to Ardice, cross over and come back with a short prayer after. She requested that a representative of the Commission attend the event.

Darius Kerrison addressed the Commission regarding the upcoming Comedy Show.

Russell Trunzo, from the Cricket Hollow area, commented on the excessive amount of traffic recently. He noted that there is a fence missing at a vacant home at 503 Dorothy Drive and people are using the property as a short cut through to Bates Avenue. He expressed concern about the traffic and safety of the local children.

Coach Johnny Saunders addressed the Commission regarding the local football program, the Carver Park facility and the need for improvements to the facility. He distributed a letter to the Commission inviting them to attend a meeting at the park to review the conditions of the facility.

Mayor Holland explained that the Commissioners can't all come at the same time due to the Sunshine Law but could schedule individual meetings.

Ron Neibert, City Manager, explained that he has spoken with the Parks & Recreation Director and two new scoreboards are going to be installed at the field. He confirmed with Mr. LaPolla that there is also funding in the new fiscal year for improvements to the parking area and to the field.

Barbara Parker addressed the Commission regarding problems in Cricket Lake Village with a vacant business and young people loitering on the property.

IV. CONSENT AGENDA

15208 Resolution No. 15-70: Release of Lien, 509 East Lemon Avenue - Code Enforcement Cases 10-213 and 12-044

15228 Resolution No. 15-75: Approval for Accreditation Consultant Temporary Contract for Services

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

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

V. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

15216 Resolution No. 15-66: Golden Grove Conceptual Site Plan

Derek Schroth, City Attorney, announced Resolution No. 15-66: A Resolution of the City Commission of the City of Eustis, Florida; approving a conceptual site plan for an affordable housing complex on 4.15 acres located in the southwest corner of the intersection of Kurt Street and Huffstetler Road.

Lori Barnes, Senior Planner, explained staff's request to postpone consideration of Resolution No. 15-66 to a date certain - October 1, 2015 due to the applicant not posting the property in time for the meeting.

Mr. Schroth opened the public hearing at 6:23 p.m. There being no public comment, the hearing was closed at 6:23 p.m.

A motion was made by Vice Mayor LeHeup-Smith, seconded by Commissioner Brett, to Continue Resolution No. 15-66 to the October 1, 2015 meeting. The motion passed by the following vote:

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

15217 Resolution No. 15-67: Unitarian Universalist Church Site Plan with Waivers

Mr. Schroth announced Resolution No. 15-67: A Resolution of the City Commission of the City of Eustis, Florida; approving a site plan with waivers for Unitarian Universalist Congregation of Lake County, Inc. on approximately 24.64 acres located on the northeast corner of Mt. Homer Rd. and David Walker Dr.

Ms. Barnes reviewed the proposed site plan for construction of a 10,000 sq.ft. church and explained the affiliated waivers as follows: 1) Placement of trees within the buffer; 2) Sidewalk requirements; and 3) Reduction of the driveway/parking lot aisle width. She explained they are requesting that the required trees and hedges be allowed to meander inside and outside of the 20-foot wide buffer. She stated they are requesting the waiver of the sidewalk on David Walker Road due to there being no other sidewalk to connect to and they are asking to defer the sidewalk along Mt. Homer Rd. for five years. She explained they are requesting a reduction of the driveway and driving aisle from 24 feet to 20 feet. She stated the fire department has no objection to the reduction. She reported there had been no inquiries regarding the project and stated staff's recommendation for approval.

The Commission questioned the need for the five year deferment for the sidewalk with Ms. Barnes explaining the required length of the sidewalk beyond where the current construction is proposed. She noted that the applicant could have done a lot split and only completed the sidewalk immediately adjoining the construction and then taken another 20 years before undertaking phase II and the rest of the sidewalk so staff felt that a five-year compromise was preferable.

Mr. Schroth opened the public hearing at 6:29 p.m.

Don Griffey, Griffey Engineering and representing the applicant, indicated he was present to answer any questions.

There being no further public comment, the hearing was closed at 6:30 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Approve Resolution No. 15-67. The motion carried by the following vote:

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

15218 Resolution No. 15-69: Warley Park Conceptual Site Plan

Mr. Schroth announced Resolution No. 15-69: A Resolution of the City Commission of the City of Eustis, Florida, approving a conceptual site plan for a senior affordable housing complex on 7.43 acres located west of Kurt Street and north of West Charlotte St.

Ms. Barnes reviewed the conceptual site plan for Warley Park, a senior affordable housing complex. She explained the applicant, Wendover Housing, has requested approval of the conceptual site plan in order to apply for the federal housing tax credits. She reviewed the site location and noted that the Commission approved previous concept plans for the same site. She stated the plan is for 102 units with access from Kurt Street and with an age 55 and over limitation. She further stated that the concept plan is substantially consistent with the Land Development Regulations but may need waivers at the time of site plan approval. She noted public input via email and one walk-in expressing concern about Kurt Street. She noted that a full site plan review and approval would be required prior to any development proceeding.

Mr. Schroth opened the public hearing at 6:34 p.m.

Ryan von Weller, Wendover Housing, indicated he was present to answer any questions.

There being no further public comment, the hearing closed at 6:35 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Approve Resolution No. 15-69. The motion carried by the following vote:

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

15210 Resolution No. 15-71: Adopting Final Millage Rate for 2015

Mr. Schroth announced Resolution No. 15-71: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the final millage levy of ad valorem taxes for the City of Eustis, Lake County, for fiscal year 2015-2016; providing for an effective date.

Colleen Scott, Finance Director, explained it was the second required public hearing on the millage rate. She presented a history of the taxable value and millage rates and stated that the proposed millage rate is 7.5810, the roll-back rate is 7.4457 and the percentage of increase over the roll-back rate is 1.82%.

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 Commissioner Bob, seconded by Vice-Mayor LeHeup-Smith, to Approve Resolution No. 15-71. The motion carried by the following vote:

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

15211 Resolution No. 15-72: Adopting Final Budget for FY 2015-16

Mr. Schroth announced Resolution No. 15-72: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the final budget for Fiscal Year 2015-2016; which shall include the Capital Improvement Program for the City of Eustis; providing for an effective date.

Ms. Scott noted that the Capital Improvement Plan includes \$90,000 for improvements to Carver Park. She reviewed the proposed budget for FY2015-16 citing the all funds revenues, expenditures, and reserves. She provided an overview of the General Fund revenues, expenditures, reserves and ending fund balance and reviewed the recurring revenues and expenses and reserve levels, the street improvement fund, the community redevelopment fund, and the capital improvement plan. She cited the future challenges as follows: 1) fire pension actuarial review scheduled for FY16-17; 2) insurance costs; 3) renewal of the sales tax; and 4) providing competitive compensation.

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 Commissioner Brett, seconded by Vice-Mayor LeHeup-Smith, to Approve Resolution No. 15-72. The motion carried by the following vote:

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

15212 Resolution No. 15-73: Lake Eustis Museum of Art Commercial Lease

Mr. Schroth announced Resolution No. 15-73: A Resolution of the City Commission of the City of Eustis, Florida; authorizing the City Manager to execute a commercial lease agreement with Lake Eustis Museum of Art, Inc. for City-owned property at One West Orange Avenue.

Vice Mayor LeHeup-Smith disclosed for the record that she is on the Board of Directors for the Lake Eustis Museum of Art (LEMA) and confirmed with the City Attorney that she did not have to declare a conflict of interest.

Tom Carrino, Economic Development Director, explained the proposed commercial lease agreement noting the following changes: 1) Extension of the term from a 3 year term to a 5 year term with the ability to terminate the lease after 3 years with six months' notice; 2) addition of language stating the City would help LEMA improve the signage; 3) language acknowledging they rent out rooms for special events; 4) elimination of redundant provisions; and 5) updating of names and dates.

The Commission asked about the resurfacing of the parking lot with Mr. Carrino explaining that when staff met with LEMA regarding the renewal they asked about having the parking lot repaved, the extension of the term and assistance with signage. He stated that since then the parking lot has been resurfaced as part of completion of the playground so it was not included in the lease.

Mr. Schroth opened the public hearing at 6:45 p.m. There being no public comment, the hearing was closed at 6:45 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Bob, to Approve Resolution No. 15-73. The motion carried by the following vote:

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

15225 Resolution No. 15-74: Affordable Housing Development Incentive Grant

Mr. Schroth announced Resolution No. 15-74: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, providing for an Affordable Housing Development Incentive Grant of \$37,500 in Fiscal Year 2015/16 for a qualified federal housing credit development.

Mr. Carrino explained the affordable housing development incentive grant provides vouchers to cover City permit and impact fees for development projects that successfully secure federal tax credits for affordably priced housing. He noted that no funds were expended in FY2013-14; however, one project received funding in FY2014-15. He stated the City expects four new applications for federal tax credits in FY2015-16; however, it is expected that no more than one project will receive the tax credits and funding is available for the program.

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

Ryan von Weller, Wendover Housing, explained it is a state requirement for the applicants to seek funding from the local government agency.

There being no further public comment, the hearing was closed at 6:48 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Approve Resolution No. 15-74. The motion carried by the following vote:

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

SECOND READING

15197 Ordinance No. 15-20: Conditional Use Permit for Metal Building on Mount Homer Road

Mr. Schroth read Ordinance No. 15-20 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving a Conditional Use Permit for a metal building in a Mixed Commercial/Industrial land use district on approximately 0.62 acres on the south side of Mount Homer Road, west of Dillard Road.

Mr. Schroth opened the public hearing at 6:49 p.m. There being no public comment, the hearing was closed at 6:49 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Adopt Ordinance No. 15-20 on second reading. The motion carried by the following vote:

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

FIRST READING

15219 Ordinance No. 15-13: Amendments to the Land Development Regulations

Mr. Schroth read Ordinance No. 15-13 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, replacing Chapters 98, 100, 102, 106, 109, 110, and 115 of the Land Development Regulations in their entirety; providing for codification; and providing for an effective date.

Ms. Barnes explained the history of the proposed revisions and the various workshops held to review the land development regulations. She stated the purpose is to correct and clarify inconsistencies in the regulations and to remove some obstacles to development. She noted that workshops were held in 2013, 2014 and 2015. She reviewed the highlights of the revisions within each chapter. She noted that the process for the setting of application fees was changed from an ordinance to a resolution. She cited an additional change to add a note before the use table in Section 109-4. She noted the language already exists in Section 109-5. She explained they wanted to clarify that the language applies to the uses contained in the use table. She then presented a language refinement that was not previously reviewed regarding boat docks on Lake Eustis. She recommended the wording in Section 109-4.2 be changed as follows: "Boat docks or covered boat docks...will be permitted on any lake within the City; provided that construction on Lake Eustis requires approval from the St. John's River Water Management District and the

Florida Department of Environmental Protection". She stated staff's recommendation for approval with the requested change.

Mr. Schroth opened the public hearing at 6:59 p.m. There being no public comment, the hearing was closed at 6:59 p.m.

A motion was made by Commissioner Bob, seconded by Commissioner Brett, to Approve Ordinance No. 15-13 on First Reading with the recommended change to Section 109-4.2. The motion carried by the following vote:

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

15220 Ordinance No. 15-21: Small Scale Comprehensive Plan Amendment-Future Land Use- 2200 County Road 452

Mr. Schroth read Ordinance No. 15-21 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3187(1) F.S.; changing the Future Land Use Designation of approximately 4.39 acres of real property located at 2200 County Road 452 from General Commercial (GC) to General Industrial (GI).

Ms. Barnes reviewed Ordinance No. 15-21 and the proposed change to the future land use designation from General Commercial (GC) to General Industrial (GI). She reviewed the surrounding uses and the definitions of the two designations and the differences between the designations. She explained the evaluation of the request including the existence of a small wetland area on the south side of the property. She stated that a 25 foot wetland buffer and St. John's River Water Management District permit will be required. She noted that the change in the designation will not change the allowable intensity on the site. She stated that staff received one inquiry regarding the request with no indication of support or opposition. She stated staff's recommendation for approval.

Mr. Schroth opened the public hearing at 7:05 p.m. There being no public comment, the hearing was closed at 7:05 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Approve Ordinance No. 15-21 on First Reading. The motion carried by the following vote:

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

15221 Ordinance No. 15-22: Voluntary Annexation - Mount Homer Road, east of Dillard Road

Mr. Schroth read Ordinance No. 15-22 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida; voluntarily annexing approximately 9.5 acres of real property located on the south side of Mount Homer Road, east of Dillard Road.

Ms. Barnes explained her presentation would cover Ordinances No. 15-22, 15-23 and 15-24. She reviewed the requested annexation, future land use designation, design district designation and the existing County designations. She explained staff's evaluation of the subject property and the requested designations. She stated that the requested land use designation is slightly more intense than what would be permitted in the County; however, it would not negatively affect the City's services. She noted that no public input was received and stated staff's recommendation for approval.

The Commission questioned the purpose of the project with Ms. Barnes explaining there would be coming forward on October 1st a concept plan approval for an affordable housing development on the southern 5.5 acres. The applicant has indicated that a medical office building would be located on the remaining 4 acres.

Mr. Schroth opened the public hearing at 7:10 p.m. There being no public comment, the hearing was closed at 7:10 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Approve Ordinance No. 15-22 on First Reading. The motion carried by the following vote:

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

15222 Ordinance No. 15-23: Small Scale Comprehensive Plan Amendment Future Land Use Map Amendment - Mount Homer Road, east of Dillard Road.

Mr. Schroth read Ordinance No. 15-23 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3187(1) F.S.; changing the Future Land Use Designation of approximately 9.5 acres of recently annexed real property located on the south side of Mount Homer Road, east of Dillard Road, from Urban Low in Lake County to Mixed Commercial/Residential (MCR) in the City of Eustis.

Mr. Schroth opened the public hearing at 7:11 p.m. There being no public comment, the hearing was closed at 7:11 p.m.

The Commission commented on the number of affordable housing developments being proposed and the need for higher levels of housing as well.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Gnann-Thompson, to Approve Ordinance No. 15-23 on First Reading. The motion carried by the following vote:

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

Nay: 1 - Commissioner Bob

15223 Ordinance No. 15-24: Design District Map Amendment - Mount Homer Road, east of Dillard Road.

Mr. Schroth read Ordinance No. 15-24 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Design District Designation of Suburban Corridor to 9.5 acres of recently annexed real property located on the south side of Mount Homer Road, east of Dillard Road.

Mr. Schroth opened the public hearing at 7:13 p.m. There being no public comment, the hearing was closed at 7:13 p.m.

A motion was made by Commissioner Brett, seconded by Vice-Mayor LeHeup-Smith, to Approve Ordinance No. 15-24 on First Reading. The motion carried by the following vote:

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

Nay: 1 - Commissioner Bob

VI. OTHER BUSINESS

15229 Discussion regarding John B. Smith parking lot

Mr. Neibert reported on Mr. Smith's proposed use of the parking lot for public parking. He stated that Mr. Smith has agreed to bring the landscaping up to an acceptable level and to leasing the lot to the City for a five-year term at \$1.00 per year with the City taking over maintenance.

CONSENSUS: *It was a consensus of the Commission for staff to move forward with preparing the lease.*

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

Commissioner Gnann-Thompson thanked the Fire Department for their efforts in a recent fire. She noted that someone broke into the home after the fact and stole some of the owner's belongings. She asked people to contact her if they wish to assist the family.

Commissioner Bob reported on another home that was broken into during broad daylight. She commented on her 60th birthday and on experiencing the journey of life.

Commissioner Brett noted a donation would be presented to Eustis High School (EHS) during the football halftime.

Vice Mayor LeHeup-Smith announced an artist's opening at LEMA. She noted the Pirate Invasion Eustis Live event on October 2nd. She reported on her experience in hosting a neighborhood special event.

Mayor Holland reported on the Eustis Heights 9/11 program. He thanked the Commission for the donation for the shirts for the students. He also reported on a walk in Tavares for law enforcement and a prayer service in town. He explained the donation to EHS would be \$1,000 from the Eustis Spirit event. He noted that four Commissioners would be in attendance. He announced Oct. 10 - 11th the Lake County Folk Festival would be held in downtown Eustis. He thanked the Fire Department, Police Department and Public Works for their response when a tree fell on his father's home at 6:00 a.m.

City Manager

Mr. Neibert reminded the Commission that the annual Parks and Recreation Scholarship Golf Tournament would be held Friday at Red Tail Golf Club.

City Attorney

Mr. Schroth announced that the final lawsuit was concluded with a denial by the judge of the City's request for rehearing. He stated that if the City wants to proceed it will need to re-advertise and then proceed.

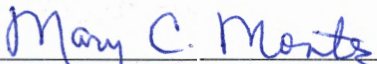
Mr. Neibert stated he wanted to review the City's regulations for the other issues to make sure all are in order prior to proceeding.

Commissioner Bob commented on a young football player that approached her regarding needs for the league. She invited Mr. Schroth to consider mentoring the young man as a future attorney.

Mayor

Mayor Holland congratulated Commissioner Bob on her birthday and thanked the audience for the interest in the City.

IX. ADJOURNMENT - 7:27 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.