APPROVED: 5/21/2015

City of Eustis, Florida

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

Meeting Minutes – Final*
City Commission

Thursday, May 7, 2015 | **6:00 PM** | **City Hall**

INVOCATION: Elder Harry Harris, Poe's Memorial Baptist Church

PLEDGE OF ALLEGIANCE: Vice Mayor Holland

CALL TO ORDER: Mayor Eckian - 6:03 p.m.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

Present: 5 - Vice-Mayor Michael Holland; Commissioner Karen LeHeup-Smith; Commissioner Linda Bob; Commissioner Bill Brett; and Mayor Albert Eckian

I. AGENDA UPDATE - None

II. APPROVAL OF MINUTES

15083 April 16, 2015 - Regular City Commission Meeting

Mayor Eckian noted a correction under the Mayor's Comments in the minutes of the April 16, 2015 Commission meeting. He asked that his comments be amended to indicate the sale of General Electric real estate.

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

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

III. AUDIENCE TO BE HEARD

Gail Isaac-Thomas, 1140 Bates Avenue, addressed the Commission regarding the online survey regarding the naming of a facility after Martin Luther King Jr. She expressed opposition to the survey being conducted only online due to the number of residents who do not utilize computers. She also expressed opposition to the facility being located in the minority section of town due to his impact on all people. She then commented on the laying of pipes along Bates Avenue and problems with the roadway sinking.

Vance Jochim, 12619 Milwaukee Ave., Tavares, commented on recent violence in various areas throughout the world and the existence of a mosque within the City.

There being no further public comment, Audience to be Heard was closed at 6:14 p.m.

IV. CONSENT AGENDA

Mayor Eckian asked to pull Resolution No. 15-33 for separate discussion.

15088 Resolution No. 15-24: Dedication of Utility Easement

15089 Resolution No. 15-25: Vacation of Utility Easements

15087 Resolution No. 15-26: Foreclosure Authorization, 1032 East Clifford Avenue - Code Enforcement Case #14-00160

15090 Resolution No. 15-27: Reduction of Code Enforcement Fine/Release of Lien, 1116 Morin Street - Code Enforcement Case #14-00351

15091 Resolution No. 15-28: Release of Code Enforcement Lien, 261 Diedrich Street - Case #13-050

15092 Resolution No. 15-29: Interlocal Agreement Regarding Distribution of Local Government Infrastructure Surtax

15084 Resolution No. 15-30: Purchase in excess of $50,000 from Odyssey Manufacturing Company for Sodium Hypochlorite

15086 Resolution No. 15-34: Dedication of Utility Easement at 50 Ferran Park Drive

A motion was made by Vice-Mayor Holland, seconded by Commissioner LeHeup-Smith, to Approve the Consent Agenda with the removal of Resolution No. 15-33. The motion carried by the following vote:

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

V. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

15085 Resolution No. 15-33: Purchase in Excess of $50,000 Civil Engineering Services for Lakeview Avenue Roadway Improvements

Rick Gierok, Public Works Director, explained a suggestion was made to have GAI include the laying of a dry reclaimed line as part of the project and to have GAI investigate whether or not there are any grant funds available for the project. He noted an inaccuracy with the terminus point with the project running from Bay Street to Haselton. He stated he would be meeting with GAI and would bring the project proposal back to the next Commission meeting.

The Commission asked if it would be the time to discuss with Duke Energy about burying their lines in that area with Mr. Gierok responding they could bring that up to them and get prices.

CONSENSUS: The Commission discussed the proposed changes with a consensus to have it brought back on the Consent Agenda as discussed.

FIRST READING

15074 Ordinance No. 15-08: Inclusion of the City within the County MSTU for Ambulance and Emergency Medical Services

Derek Schroth, City Attorney, read Ordinance No. 15-08 by title on first reading: An Ordinance by the City Commission of the City of Eustis, Lake County, Florida, Adopted Pursuant to Section 125.01 (l) (q), Florida Statute (2007) Consenting to the Inclusion of the City of Eustis, Florida, within the Countywide Municipal Service Taxing Unit for the Provision of Ambulance and Emergency Medical Services, as Adopted by the Board of County Commissioners of Lake County, Florida; Providing for the City to be included within said M.S.T.U. for a Specific Term of Years; Providing for an Effective Date.

Mr. Schroth opened the public hearing at 6:23 p.m. There being no public comment, the hearing was closed at 6:24 p.m.

A motion was made by Vice-Mayor Holland, seconded by Commissioner LeHeup-Smith, to Approve Ordinance No. 15-08 on First Reading. The motion carried by the following vote:

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

VI. OTHER BUSINESS

15093 Mayor's Report

Mayor Eckian reported on City activities during the first quarter of 2015 highlighting the following four issues or projects: 1) Land use lawsuits - Four of the six have been resolved with the final two to be heard by a judge in less than four weeks. 2) Housing inventory - He cited the lack of upper end housing that are new or very well maintained. He commented on the revisions to the comprehensive plan to be heard on second reading in June and cited the need to complete a review of the land development regulations. 3) Economic development - He commented on the efforts of the Development Services staff and his meetings with local businesses. He cited their desire to do more with the City and the community. He recommended staff consider the development of an applied high technology center within the City. He also suggested that staff initiate a dialogue with area manufacturers to discuss what works for them in Eustis and what doesn't which could help develop a profile for Eustis to identify the types of businesses to attract. He also recommended including local realtors in the discussion. 4) Education - He commented on education as an economic driver. He announced an education workshop would be held following the May 21st Commission meeting to include both elementary school principals and School Board members.

15096 Vice Mayor's Report

Vice Mayor Holland thanked staff and the public for their support and cited the various committees and organizations he serves on for the City. He reported on activities for various organizations and explained their purposes including the Lake County Economic Development Council, Lake County League of Cities, and the Eustis Area Chamber of Commerce. He then reported on the efforts to renew the local option sales tax noting that the current tax will sunset in 2017. He stated it would be on the ballot November 3, 2015.

15097 Discussion and Possible Action Regarding Possible Settlement Proposals in the Panuska and Smith Litigation Cases

Mayor Eckian explained the Panuska/Smith lawsuits would be heard in court on June 3rd. He stated his belief that it would be better for the City and the community if the City is able to settle the lawsuits. He commented on the involvement of the litigants in the Trout Lake Nature Center. He suggested that the City offer to connect the Nature Center to the City's wastewater system and stated the estimated cost to the City would be $33,000 and in exchange Mr. Smith and Mr. Panuska would be asked to drop the lawsuits.

The Commission discussed the proposal and expressed support for the recommendation.

Mr. Schroth asked about the time frame for response and suggested 14 days with a consensus. He asked, if the proposal is accepted, how long it would take to have the connection completed.

Mr. Gierok explained the procedure that would need to be used and estimated the timeframe at approximately 30 days once Trout Lake obtains its permits for the roadway and sewer line.

Mr. Schroth summarized that the City would connect Trout Lake at the City's sole expense to the sewer system in exchange for all lawsuits by Smith and Panuska being dismissed with prejudice with the timeframe for acceptance being 14 days from the day the offer is made. He stated he would convey the offer to Attorney Smith who would extend the offer to Attorney Langley. He stated the City should require the lawsuits be dismissed with prejudice so they could not be refiled.

CONSENSUS: It was a consensus of the Commission for Mr. Schroth to proceed as stated.

15094 Financial Policy Revisions

Colleen Scott, Finance Director, explained the recommended revisions to the City's financial policies as follows: 1) Revise the collection level forecasts for property taxes to 98% collection based on historical data and allow use of either the roll-back rate or the current year millage rate for budgeting purposes; 2) Revise fees for services to reflect utility rate adjustments as indicated by the most *recent rate study accepted by the City Commission; 3) Establish approval authority and limits for budget adjustments with the City Manager authorized to approve budget transfers among funds as long as the total expenditures authorized in the budget is not exceeded, department directors may transfer funds within the department's operating or capital categories that are less than $5,000, and the City Manager or his designee may approve budget transfers up to $50,000; and 4) Update the budgetary objective matrix to reflect the approved changes.*

Ms. Scott stated she was requesting direction regarding the proposed revisions prior to presenting a resolution for adoption. She also recommended that the policy manual be revamped to provide a comprehensive policy and procedure manual to incorporate a number of standalone policies.

CONSENSUS: It was a consensus of the Commission to have the revisions brought back as discussed in resolution form.

VII. FUTURE AGENDA ITEMS - None

VIII. COMMENTS

City Commission

Mayor Eckian asked that the Commission include any comments for the May 21st meeting due to the short meeting that night.

Commissioner LeHeup-Smith reported that Lake County Animal Services is having a two for one offer.

Vice Mayor Holland commented on the Community Service Awards and the T. H. Poole Sr. funeral service.

Commissioner Brett also commented on the Community Service Awards, cited the Eustis Live event, and noted the beginning of the Chamber's wellness challenge.

Commissioner Bob commented on the need for summer activities for the local children and the possibility of establishing a program to provide summer field trips for the children.

City Manager

Ron Neibert, City Manager, thanked the Commission for selecting him and commented on how well his first week had gone.

City Attorney - None

Mayor

Mayor Eckian cited the street party, and urged everyone to go to the Lake Eustis Museum of Art to see their new exhibit featuring a young artists who are on the autistic spectrum. He commented on the strength of the businesses he had visited and the schools. He recognized Florida Food Products Inc. and First Green Bank for being nominated as the Ernst and Young (EY) 2015 Florida Entrepreneur of the Year. He announced that the Capital Improvement Plan workshop would convene in ten minutes.

IX. ADJOURNMENT - 7:20 p.m.

Mary C. Montez

MARY C. MONTEZ
City Clerk

ALBERT G. ECKIAN
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.