APPROVED: 3/19/2015

City of Eustis, Florida

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

Meeting Minutes – Final*
City Commission

Thursday, March 5, 2015 | **6:00 PM** | **City Hall**

INVOCATION: Dr. Rev. V. H. Volland, Epiphany Anglican Church

PLEDGE OF ALLEGIANCE: Vice Mayor Holland

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

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

I. AGENDA UPDATE - None

II. APPROVAL OF MINUTES

15048 February 19, 2015 - Regular City Commission Meeting
February 19, 2015 - City Commission Workshop

Commissioner Bob indicated that on the last page of the minutes, under Comments", it should read "Eustis Heights Elementary" instead of "Eustis Elementary".

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

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

III. AUDIENCE TO BE HEARD

Leslie Campione, County Commissioner, expressed her intent to attend City meetings more often and encouraged the Commissioners to contact her with any issues. She commented on the progress on testing of Kurt Street and the need to work together to remedy the problems. She informed the Commission about a new County project called "Keep Lake Beautiful". She stated they have been accepted as an affiliate of the Keep America Beautiful and Keep Florida Beautiful programs. She explained what is now required to be a part of the program. She presented to the Commission copies of brochures regarding the program and commented on possible projects to be undertaken including cleaning up litter along the roadways. She then reported on the progress on the trail system and the need for additional right-of-way between Mount Dora, Eustis and the Umatilla - Astor trail.

William Reece, Oakbend Drive, asked about having his street repaved and cited issues with the street.

Jeffrey Williams, Grand Island Heights Subdivision, asked about what is being constructed by Sunrise ARC and whether it is appropriate for the neighborhood with Ms. Kramer explaining that topic was on the agenda.

There being no further public input, Audience to be Heard was closed at 6:18 p.m.

IV. CONSENT AGENDA

15043 Resolution No. 15-12: Foreclosure Authorization, 1116 Morin Street - Case #14-00351

15042 Resolution No. 15-14: Acceptance of Vehicle Transfer from the Lake County Sheriff's Office

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

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

V. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

15044 Resolution No. 15-10: Lease Agreement with the Florida Department of Agriculture and Consumer Services

Rick Gierok, Public Works Director and City Engineer, explained the resolution will approve a 30-year lease between the City and the Florida Dept. of Agriculture for City property and cited a previous presentation to the Commission in September 2014.

Mayor Eckian opened the public hearing at 6:21 p.m. There being no public comment, the hearing was closed at 6:21 p.m.

A motion was made by Vice-Mayor Holland, seconded by Commissioner Brett, to Approve Resolution No. 15-10. The motion carried by the following vote:

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

15045 Resolution No. 15-11: Garage Variance Request for Sunrise ARC; Lot 13, Grand Island Heights Subdivision

Lori Barnes, Senior Planner, explained the variance request by Sunrise ARC to construct a single family home without the required garage. She noted the justification statement presented by the applicant. She explained that the applicant has an agreement that will require the home be maintained as a community home for a period of ten years. She explained the applicant's justification to construct the home without a garage and reviewed the requirements for a variance under the City's Land Development Regulations. She stated that the variance request does not meet the evaluation criteria and reviewed staff's recommendation for denial based on the following: 1) A home without a garage would be inconsistent with the neighborhood; 2) There is nothing unique about the site - a garage could be constructed; and 3) Approval would convey a special privilege since a garage is required for all other homes.

Mark Swain, President and CEO for Sunrise ARC, addressed the Commission regarding their application. He explained their community-based housing programs for people with developmental disabilities and their oversight. He explained the lack of funding for the garage which would cost another $18,000. He further explained how the project developed and the grant funding from the state for the home. He stated the home is ADA certified and explained they had to request an extension of the deadline for beginning construction.

Mayor Eckian opened the public hearing at 6:38 p.m.

Jeffrey Williams expressed concern about allowing a business within a residential community.

Sigfried Powell, 2007 Oakbend Dr., stated the property will be operated by a business with staff members coming and going. He expressed concern regarding the amount of traffic to and from the home.

Larry Turnbow, 2810 Pineapple Lane, commented on the need to follow the regulations and his requirement to convert his carport to a garage instead of being allowed to enclose it.

There being no further public comment, the hearing was closed at 6:43 p.m.

The Commission discussed the various issues regarding the request as follows: 1) The benefit to the community from Sunrise ARC; 2) The definition of a group home under state statutes; 3) the failure of the applicant's architect or design specialist to review the City's regulations prior to preparing the plans for the home; 4) the probability of setting a precedent if the variance is approved; and 5) other group homes located within the City and lack of any difficulties with those homes.

Mayor Eckian conducted a straw poll on a motion to deny the variance with all Commissioners indicating they would vote to deny.

The Commission suggested that Sunrise ARC contact their architect regarding funding for the garage and cited the benefit to the group home of a garage.

A motion was made by Mayor Eckian, seconded by Vice-Mayor Holland, to Deny Resolution No. 15-11. The motion carried by the following vote:

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

VI. OTHER BUSINESS

15046 Request for Executive Session

Dianne Kramer, Acting City Manager, explained that the City's trial attorney Drew Smith has requested a second executive session to discuss possible settlement negotiations regarding the Keating case to follow the 5:30 executive session.

CONSENSUS: It was a consensus of the Commission to hold a second closed session following the 5:30 session.

VII. FUTURE AGENDA ITEMS

Commissioner Bob commented on the training being provided by the school system regarding poverty, the level of hopelessness of some of the parents and children and how parents make ends meet with their children's social security checks due to disabilities.

Mayor Eckian noted that an education workshop is being scheduled for May 21st. He asked if those issues could be included as part of that workshop with Commissioner Bob's agreement.

VIII. COMMENTS

City Commission

Commissioner Brett commented on Georgefest and thanked the staff for their efforts.

Vice Mayor Holland recognized all of the staff members and the Chamber for their work on Georgefest. He noted that there would be a vintage motorcycle ride-in for first Friday instead of the normal event and that the Georgefest carnival had been extended through the weekend. He announced that Faith Lutheran School's varsity boys' basketball team has been invited to attend the national Lutheran tournament at Valparaiso University in Indiana. He commented on their fund-raising needs for the event.

Commissioner LeHeup-Smith announced the Mock DUI at Eustis High School on March 26th, the Lake Eustis Museum of Art Annual Wine A-Fare on March 12th, and the March 14th Eustis Community Yard Sale.

City Manager

Ms. Kramer announced that she has offered the Finance Director position to Acting Director Colleen Scott and that would be on the March 19th agenda for Commission approval. She noted a committee has been formed for the selection of the new Police Chief. She distributed to the Commission the results of the Martin Luther King Jr. recognition survey. She noted that the City received 72 responses and cited all of the ways the City tried to advertise the survey. She stated the predominant response was a preference for an honorary designation of a road rather than naming a facility. She suggested that the survey results could be utilized to fine tune and conduct a more specific survey and the Commission agreed.

Ms. Kramer suggested that a general budget workshop be scheduled for April to provide some guidelines for the budget preparation after which more specific workshops would be scheduled.

CONSENSUS: It was a consensus of the Commission to hold the overview workshop on April 9th at 5:30 p.m.

City Attorney

Derek Schroth, City Attorney, reported that he had spoken with special counsel Drew Smith. He noted that Trout Lake Nature Center (TLNC) has withdrawn its support of the litigation.

Mayor Eckian asked about the effect on the litigation with Mr. Schroth explaining that Mr. Smith will be filing a request to supplement the record with the TLNC resolution withdrawing its support.

Mayor

Mayor Eckian thanked everyone involved with Georgefest and the African-American Heritage Festival Committee. He noted the Chamber's float in the Heritage Festival parade. He commented on the ceremony kicking off the renovations for the Open Door drop in facility. He thanked Ann Isaacs and Dianne Kramer for their efforts with the City Manager search and the rest of the Commission for their support of the lease agreement. He reported on his attendance at the Upper Ocklawaha Working Group meeting and cited the efforts to clean up Lake Apopka, the chain of lakes and Emeralda Marsh. He commented on the increase in pollutants in Trout Lake even with the purchase of the muck farm to stop the runoff from the farm. He emphasized the probable benefits to Trout Lake through the Dept. of Agriculture project.

IX. ADJOURNMENT - 7:23 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.