City of Eustis, Florida

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

Meeting Minutes – Final*
City Commission

Tuesday, January 6, 2015 | **7:30 PM** | **City Hall**

INVOCATION: Rev. Skott Jensen, First Assembly of God

PLEDGE OF ALLEGIANCE: Commissioner Holland

CALL TO ORDER: Mayor Bob

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

I. AGENDA UPDATE - None

II. RETIRING MAYOR'S MESSAGE

Mayor Bob presented her outgoing Mayor's message.

III. PRESENTATION TO RETIRING MAYOR

Vice Mayor Eckian presented Mayor Bob with a plaque in commemoration of her service as the 2014 Mayor for the City and commented on her work as the City's Mayor and as a Commissioner.

IV. OATH OF OFFICE - COMMISSIONERS-ELECT

Mary Montez, City Clerk, administered the Oath of Office to Commissioners-Elect Bill Brett and Linda Bob.

V. APPOINTMENT OF CITY CLERK AS TEMPORARY CHAIRMAN

Mayor Bob turned over control of the meeting to City Clerk Montez for the purpose of administering the election of the Mayor for 2015.

VI. ELECTION OF MAYOR

15007 Election of 2015 Mayor and Vice Mayor

Ms. Montez explained for the audience the procedure to be used for nominations and election for office of Mayor for 2015. She then opened the floor to nominations.

Commissioner Holland nominated Vice Mayor Eckian for Mayor. There being no further nominations, Ms. Montez asked for a motion to close the floor to nominations.

A motion was made by Commissioner Michael Holland, seconded by Commissioner Karen LeHeup-Smith, that the nominations for Mayor be closed. The motion passed by an unanimous vote.

There being only one nomination for Mayor, Commissioner Eckian was declared Mayor for 2015.

VII. ELECTION OF VICE MAYOR

Mayor Eckian opened the floor to nominations for Vice Mayor for 2015.

Commissioner Brett nominated Commissioner Holland as Vice Mayor. There being no further nominations, Mayor Eckian asked for a motion to close the nominations.

A motion was made by Commissioner LeHeup-Smith, seconded by Commissioner Brett, that the nominations for Vice Mayor be closed. The motion passed by an unanimous vote.

There being only one nomination for Vice Mayor, Commissioner Holland was declared Vice Mayor for 2015.

VIII. SEATING OF MAYOR AND VICE-MAYOR

IX. APPROVAL OF MINUTES

15005 December 18, 2014 - Regular City Commission Meeting

A motion was made by Commissioner Holland, seconded by Commissioner Bob, to Approve the Minutes. The motion carried by the following vote:

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

X. AUDIENCE TO BE HEARD

Mayor Eckian opened the floor to Audience to be Heard and explained the procedure.

Gail Isaac Thomas, 1140 Bates Avenue, congratulated the new Mayor and Vice Mayor and asked the Commission about the following issues: 1) the application process for police chief and whether or not former Deputy Chief Robinson would be considered for that position; 2) the status of having a City facility named after Martin Luther King Jr.; 3) maintaining patrols around Palmetto Plaza to ensure it stays nice; and 4) Bates Avenue being cleaned more frequently by the street sweeper.

Gessner Harris, 3102 S. Lakeview Ct., expressed concem about hedges along Old Mount Dora Road and Eudora Road where the hedges have grown higher than the homes. She also expressed support for Deputy Chief Robinson being considered for the police chief position.

Pastor Harold Kelly also congratulated the new Mayor and Vice Mayor. He informed the Commission that beginning January 12th they will begin the annual Martin Luther King Celebration. He explained there will be five days of activities and presented copies of flyers to the Commission highlighting some of the events including a roundtable discussion to help improve relations in the community.

Keith Ware, 880 Titcomb St., also offered congratulations to the Mayor and Vice Mayor. He noted questions he had been asked by community members regarding the procedure for hiring the new police chief. He asked if the community could be informed about who has applied for the position.

Mayor Eckian explained that the hiring of the police chief would be handled by the City's Acting City Manager. He noted that there is a survey on the City's website to allow the public to provide input regarding attributes for the new chief. He stated that it will be available on the website until January 9th.

XI. CONSENT AGENDA

14301 Resolution No. 15-02: Bid Award of Continuing Services Agreement for Tree Trimming, Tree Removal and Stump Grinding

15001 Approval of 2015 Commission Meeting Schedule

A motion was made by Commissioner Holland, seconded by Commissioner Bob, to Approve the Consent Agenda. The motion carried by the following vote:

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

XII. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

FIRST READING

15004 Ordinance No. 15-01: Amendment to Chapter 109, Use Table of the Land Development Regulations

Derek Schroth, City Attorney, read Ordinance No. 15-01 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, Amending Section 109-4 Use Regulations (b) Use Table of the Land Development Regulations to Add Light Industrial/Research as a Permitted Use in the Central Business District (CBD); Providing for Codification; and Providing for an Effective Date.

Ms. Kramer explained the ordinance was prepared in response to direction from the Commission. She further explained that it would provide more flexibility for businesses within the Central Business District. She noted that there are protections against any negative impact on adjacent properties inherent in the definition of light industrial. She stated staff's recommendation for approval.

Mr. Schroth opened the public hearing at 8:11 p.m. There being no public comment, the hearing was closed at 8:11 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner LeHeup-Smith, to Approve Ordinance No. 15-01 on First Reading. The motion carried by the following vote:

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

XIII. FUTURE AGENDA ITEMS

Commissioner Bob asked to have the naming of a facility for Martin Luther King Jr. placed back on the agenda. She requested that a survey be placed on the City's website to obtain public input prior to it being on the agenda.

Vice Mayor Holland agreed with Ms. Bob regarding the survey and facility naming. He asked that the Commission appointed a citizen committee to conduct a charter review.

Mayor Eckian noted that the League of Cities is requesting information regarding communities' first African American male and female elected officials.

Mary Montez, City Clerk, informed the Commission that she had already received the request from the League and had provided them with the appropriate information.

Mayor Eckian commented on the number of films and documentaries currently being aired regarding the Civil Rights Act. He noted that the Commission would be meeting on August 6th which is the actual date the Civil Rights Act was signed. He asked that a ceremony be prepared for that meeting to commemorate the occasion and suggested that Supervisor of Elections Emogene Stegall be invited to participate.

XIV. COMMENTS

City Commission

Commissioner Brett expressed his excitement stating he was ready to get to work. He thanked the voters for his election.

Commissioner LeHeup-Smith congratulated Commissioner Brett, Mayor Eckian and Vice Mayor Holland. She announced the Lake Eustis Museum of Art would have a new opening on Friday.

Commissioner Holland wished everyone "Happy New Year" and expressed thanks to the City's First Responders. He noted the Governor had declared the week as "First Responders Week". He thanked Commissioner Bob for her work for the community. He also expressed appreciation to newly-elected Commissioner Brett, the rest of the Commission, and Acting City Manager Kramer.

Commissioner Bob also wished everyone "Happy New Year" and expressed thanks to the voters for her election.

Mayor Eckian read the First Responders Week proclamation issued by Gov. Scott and expressed appreciation to the City's first responders.

City Manager

Ms. Kramer provided an explanation regarding the police chief hiring process and that the final hiring decision will be made by whoever is City Manager at that time. She added that a hiring committee will be set to review the applications and encouraged anyone that's interested to contact her or the City's HR Director Ann Isaacs. She stated that the position will be open to all interested applicants and noted that it will take several months and that the applications will be open for public review.

Ms. Kramer reported that the Daily Commercial is having a rebranding celebration beginning Jan. 20th. She explained that they have asked for permission to have "newsies" selling newspapers on street corners as in the old days. She stated the ordinance requires Commission approval.

CONSENSUS: It was a consensus of the Commission to allow as long as they are adults and not children.

Ms. Kramer then noted a fee waiver request received from Hand in Hand regarding a rehab facility they have on Hazzard Avenue. She explained the facility is located in a house and part of the property has an MCR designation. She explained some of the issues they have and options they have discussed particularly regarding the requirement for a garage, which they do not need. She stated they have decided to apply for a change to the land use designation which has a $600 application fee. She stated they are asking the City waive the fee due to them being a nonprofit organization; however, she expressed her recommendation that the City not waive the fee. She added they have agreed to pay the hard cost for advertising and cited those instances and reasons why the City has waived fees in the past.

The Commission discussed the request, the possibility of setting a precedent and the value of their services to the community.

Ms. Kramer suggested that the rationale for waiving the fees could be because the one legal parcel has two different land use designations. She stated that a portion of the fees could be waived so that the parcel can have one designation.

Mr. Schroth confirmed that either rationale or both could be used to avoid setting a precedent - either the need to have the parcel only have one designation or the value to the community of the type of service provided by the organization.

CONSENSUS: It was a consensus of the Commission to require Hand in Hand to pay the hard costs affiliated with the application and to waive the remainder of the fees.

Ms. Kramer then informed the Commission that a workshop would need to be scheduled to discuss the city manager applications with the recruiting firm and recommended that the workshop be scheduled for January 29th. She explained the applications would be grouped as follows: 1) not qualified; 2) qualified but don't meet profile; 3) qualified but staff sees issues; and 4) ones that meet profile and questionnaires had been received.

The Commission discussed whether or not they wanted to see all of the applications or just those judged to be qualified and the date and time for the meeting.

CONSENSUS: It was a consensus of the Commission to hold the workshop at 5:30 p.m. on Thursday, January 29th, and to only be provided those applications that have been judged to be qualified by staff.

Mayor Eckian explained for the public that the meeting would be publicly noticed and open to the public but would be held in the Development Services conference room in order to allow a teleconference with the recruiter.

City Attorney

Mr. Schroth noted he would be providing a presentation at the January 15th workshop regarding the Sunshine Law. He reminded the Commission that any communication between Commissioners except at public meetings is prohibited. He stated they cannot use others as a conduit or go between. He added that anything received pertaining to City business is a public record. He advised that if they receive such a document, they should give it to the City Clerk so they do not become the custodian of a public record. He further advised that if receive an email to their personal email address, they should forward it to the Clerk and then they can delete the email.

Ms. Kramer noted she was informed that two Commissioners were planning to attend one of the Martin Luther King celebration meetings and that the Clerk would be noticing the meeting as such with Ms. Montez confirming that had already been done.

Mr. Schroth noted that if more than one Commissioner finds they are at a public event that has not been noticed, they should make sure they do not communicate regarding City business.

Mayor

Mayor Eckian thanked the Commission for selecting him as Mayor for 2015.

XV. ADJOURNMENT - 8:46 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.

City of Eustis, Florida

January 6, 2015

OATH OF OFFICE

I, ***Bill Brett,*** do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution and Laws of the State of Florida and the Charter of the City of Eustis; and that I will faithfully perform all the duties of the office of City Commissioner, Seat #2, on which I am now about to enter, so help me God.

Bill Brett

Bill Brett, City Commissioner, Seat #2

Sworn to and subscribed before me this ____ day of January, 2015, by Bill Brett, who is personally known to me.

Mary C. Montez

Mary C. Montez, City Clerk of Eustis, Florida

City of Eustis, Florida

January 6, 2015

OATH OF OFFICE

I, ***Linda Durham Bob***, do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution and Laws of the State of Florida and the Charter of the City of Eustis; and that I will faithfully perform all the duties of the office of City Commissioner, Seat #1, on which I am now about to enter, so help me God.

Linda Durham Bob

Linda Durham Bob, City Commissioner, Seat #1

Sworn to and subscribed before me this 6th day of January, 2015, by Linda Durham Bob, who is personally known to me.

Mary C. Montez

Mary C. Montez, City Clerk of Eustis, Florida