



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 2, 2014

6:00 PM

City Hall

INVOCATION: Rev. Jonathan Pearson, First Baptist Church of Eustis

PLEDGE OF ALLEGIANCE: Commissioner Muenzmay

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

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

I. AGENDA UPDATE - None

II. APPROVAL OF MINUTES

- 14234 September 18, 2014 - City Commission Workshop
September 18, 2014 - Regular City Commission Meeting

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

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

III. PRESENTATIONS

- 14228 Proclamation Declaring October 15, 2014 as White Cane Safety Day

Mayor Bob and Vice Mayor Eckian presented a proclamation declaring October 15, 2014, as White Cane Safety Day to Chantel Buck, CEO of New Vision for Independence. Ms. Buck thanked the Commission and explained the planned event.

- 14223 New Police Department Programs: Accreditation and "Making a Difference on Duty"

Lt. Shane McSheehy distributed to the Commission examples of their new trading cards that will be disbursed to the public during police/public interactions. He explained the department's new program to apply for accreditation under the Commission for Florida Law Enforcement Accreditation and cited the benefits of achieving that accreditation and establishment of best practices in organization and training. He reviewed the procedure for becoming accredited, provided some examples of the 261 required standards and reviewed the costs associated with the accreditation and funding through the Edward Byrne Memorial Grant.

Lt. McSheehy then explained the department's new program, "Making a Difference On-Duty", the use of the trading cards to provide positive interactions with children in the community, and the benefits to the community and the children. It was suggested they also reach out to the adult members of the community.

IV. AUDIENCE TO BE HEARD

Tammie Henry, resident of Umatilla and Assistant Principal of Eustis Elementary School, addressed the Commission regarding difficulties the school is having regarding parent/caregiver pickup and drop off. She noted that the majority of the students either walk or come by car due to the elimination of courtesy busing by the School Board. She explained the problem with people parking and walking up to get their children and noted that parents are dropping off their children along other streets rather than following the established procedures. She asked if the City could install "no parking" signs and explained their efforts to resolve the issue. She cited issues with people also parking on other people's private property.

V. CONSENT AGENDA

- 14233 Resolution No. 14-73: Appointment of Special Attorney
- 14224 Resolution No. 14-75: Water Service/Annexation Agreement - Southwest corner of Belmont Ave. and Dupont St.
- 14229 Reappointment of Teresa Little as Resident Member to Eustis Housing Authority Board

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

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

VI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

- 14227 Resolution No. 14-74: Valencia Grove Conceptual Site Plan

Derek Schroth, City Attorney, announced Resolution No. 14-74: A Resolution of the City Commission of the City of Eustis, Florida, Approving a Conceptual Site Plan for a 144 Unit Affordable Housing Complex on Approximately 8.79 Acres Located on the Northwest Corner of Huffstetler Dr. and Kurt St.

Dianne Kramer, Acting City Manager, asked the Commission to postpone consideration of the resolution until October 16th due to needing to consider Ordinance 14-31 first.

Mr. Schroth opened the public hearing at 6:28 p.m. There being no public comment, the hearing was closed at 6:28 p.m.

A motion was made by Commissioner Muenzmay, seconded by Commissioner Holland, to Continue Resolution No. 14-74 to October 16th. The motion carried by the following vote:

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

FIRST READING

- 14213 Ordinance No. 14-31: Small Scale Comprehensive Plan Amendment; Northwest Corner of Huffstetler Rd. & Kurt St.: 2014-CPLUS-03

Mr. Schroth read Ordinance No. 14-31 on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, FL, Amending the City of Eustis Comprehensive Plan Pursuant to 163.3187(1) F.S.; Changing the Future Land Use Designation of Approximately 8.79 Acres of Real Property Located at the Northwest Corner of Huffstetler Dr. and Kurt St. from Residential/Office Transitional (RT), Mixed Commercial/Residential (MCR), and Mixed Commercial/Industrial (MCI) to Mixed Commercial Residential (MCR).

Lori Barnes, Senior Planner, explained the requested small scale comprehensive plan amendment for property located at the northwest corner of Huffstetter Road and Kurt Street (2014-CPLUS-03) and the change in density. She explained the evaluation of the request and stated staff's determination that the request is consistent with the comprehensive plan and land development regulations. She stated staff's recommendation for approval.

Mr. Schroth opened the public hearing at 6:35 p.m.

Yvonne Spikes, representing Eustis Plaza Condo Association, noted that the Community Meeting indicated that the designation would be UR instead of MCR. She expressed concern about additional traffic on Kurt Street until it is reconstructed.

There being no further public comment, the hearing was closed at 6:38 p.m.

The Commission expressed concern about the condition of Kurt Street with Ms. Kramer noting that staff would be providing a report on Kurt Street later in the meeting. She also explained the difference between evaluating the capacity of a road for development versus maintenance of the road. She further explained that all of the concept plans are vying for federal tax credits and that only one could be approved.

The Commission commented on the difficulty with addressing the problems on Kurt Street due to it being under the jurisdiction of three different entities.

A motion was made by Vice-Mayor Eckian, seconded by Commissioner LeHeup-Smith, to Approve Ordinance No. 14-31 on First Reading. The motion carried by the following vote:

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

14226 Ordinance No. 14-33: Business Tax Receipts - Amendment to Section 86-227(d)

Mr. Schroth read Ordinance No. 14-33 on first reading: An Ordinance of the City Commission of the City of Eustis, Florida; Amending Section 86-227(d), Business Tax Receipts, of the City of Eustis Code of Ordinances to Address Administrative Procedures for Issuance of Business Tax Receipts between July 1 and September 30 of each Fiscal Year; Providing for Conflict with Existing Ordinances; Providing for Inclusion in the Code of Ordinances; Providing for Severability; Providing for an Effective Date.

Ms. Barnes explained the proposed revision to the business tax receipt ordinance due to the timeframe for renewals and new applications submitted later in the year. She reviewed the proposed language which would allow a business tax receipt to be issued for a period of up to 15 months for new receipts applied for late in the fiscal year, after which they would enter into the normal renewal cycle.

Mr. Schroth opened the public hearing at 6:47 p.m. There being no public comment, the hearing was closed at 6:47 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner LeHeup-Smith, to Approve Ordinance No. 14-33 on First Reading. The motion carried by the following vote:

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

VII. OTHER BUSINESS

14225 Proposed Conservation Land Use Change: City-Owned Property on Hicks Ditch Road

Ms. Kramer explained that the Commission had asked staff to look at the possibility of changing the land use designation of some of the City's property along Hicks Ditch Road from Public Institutional to Conservation. She reviewed those sections of the City property covered by the existing Conservation easement given to the Ocklawaha Audubon Society. She stated that the three parcels would equal approximately 90 acres and recommended that the remaining property be left as Public Institutional. She stated that, if approved by the Commission, an ordinance could be brought back to the November 6th meeting and noted that it would be a large scale amendment so it would be three months before it was brought back on second reading.

The Commission discussed leaving the small top parcel, designated Parcel #1097177, as PI with the Conservation easement due to the possible future desire to have trails on that site and noted that they may not be able to put in a parking area and terminus facilities if it is designated as Conservation. It was further suggested to leave the small southern parcel, designated Parcel #1094780, also as PI with the Conservation easement until the planned water treatment facility for Trout Lake is operational.

The Commission discussed the planned treatment facility including the amount of phosphorus load to be removed and the expected location in the Hicks Ditch right-of-way and the designation for the City-owned property along CR44 as PI with a corner piece designated as MCI. It was noted that, if the City decided in the future to construct something within the Conservation easement, they would be required to provide 60 day notice to the Audubon Society.

The Mayor opened the floor to public comment at 7:01 p.m. There being no public comment, the floor was closed at 7:01 p.m.

CONSENSUS: It was a consensus of the Commission for staff to bring back an ordinance to change the future land use designation of a portion of the City-owned property off of Hicks Ditch Road from PI to Conservation as discussed.

14231 Update on Kurt St. Resurfacing/Reconstruction

Rick Gierok, Public Works Director, explained the history of the discussion with Lake County for the redesign of Kurt Street with a previous estimate of \$8 to \$10 million which would have included some additional turn lanes and stormwater retention. He reported a meeting was held in August with Lake County after the Ardice improvements were completed to determine what could be done. He stated that Lake County estimates the cost for resurfacing from Hwy. 441 to Bay Street as \$340,000 with an estimated \$80,000 for sidewalk improvements for a total of \$420,000. He explained that it would be a joint 50/50 project between Lake County and Eustis; however, the County wants the City to assume full responsibility for future maintenance after completion. He commented on the difficulty with Kurt Street being owned by different entities - City, County and FDOT. He further explained that the County has stated they have no future plans for any further maintenance of Kurt Street. He stated that that resurfacing will not resolve the issues with problems to the base in areas. He then reported that the County agreed to hire a geotech to evaluate the base and sub-base; however, it would probably be the first quarter of 2015 before they proceed with the study. He added that, depending on what they find, the cost will probably increase. He concluded stating they can't take any action until the engineering report comes back on the base.

The Commission questioned whether or not the opening of Eustis Heights Elementary onto Kurt Street could be used as leverage.

Ms. Kramer commented on the City's loss of revenue due to the change in the gas tax formula. She reported that Commissioner Leslie Campione seemed willing to push for the County's participation in the Kurt Street project, primarily in light of the City's loss in gas tax revenue. She further commented on the possibility of obtaining support from various County Commissioners.

The Commissioner noted existing potholes on the City's side of Kurt Street and asked if they could be fixed in the interim with Mr. Gierok stating staff can do pothole repairs; however, they don't stay fixed as long as there is a problem with the road base.

The Commission discussed how the Eustis Heights traffic will be routed, the anticipated increase in traffic, whether or not FDOT can get involved with the project, and whether or not transportation concurrency could be utilized to the City's benefit.

Ms. Kramer explained there is no funding tied to concurrency. She further explained that the problem with Kurt Street isn't capacity but the condition of the road. She suggested that the reconstruction of Kurt Street could be an itemized project for renewal of the optional sales tax.

The Commission asked if the City gets road impact fees from new housing development with Ms. Kramer explaining all of those fees go to the County.

The Commission suggested determining the cost for repairing Kurt Street just from Lakeview to David Walker since a lot of traffic turns onto David Walker Road.

The Mayor opened the floor to public comment at 7:23. There being no public comment, the floor was closed at 7:23 p.m.

VIII. FUTURE AGENDA ITEMS

Ms. Kramer reported that she had spoken with the City Attorney during the break between the workshop and the Commission meeting. She recommended that a special meeting be scheduled for October 30th, the same day as the City Manager applicant interviews, for second reading of the marijuana moratorium ordinance.

CONSENSUS: It was a consensus of the Commission to hold a special meeting on October 30th to hear the second reading of the ordinance as proposed.

IX. COMMENTS

City Commission

Commissioner Holland noted the First Friday event and the Eustis High School Homecoming.

Vice Mayor Eckian noted the Boys and Girls Club Fish Fry would be held Friday, October 9th, from 5 pm to 8 pm, at the Community Center.

Commissioner LeHeup-Smith noted the following events: first Friday "Eustis Alive" Make Eustis Pink event, Lake County Folk Festival October 11th and 12th, and Lake Eustis Museum of Art Bunco Party on October 14th.

Commissioner Muenzmay announced the Parks & Recreation Golf Tournament to fund Parks & Recreation scholarships at Black Bear Country Club on October 11th. He noted his attendance at the Cattle Baron's Ball, Cancer Society fund-raiser.

Commissioner LeHeup-Smith noted the Community Yard Sale and reported that the Eustis Kiwanis raised over \$400 for scholarships.

City Manager

Ms. Kramer reported on the installation of the exercise trail at Palmetto Point and noted there will be an opening event schedule. She commented on the lack of flooding downtown since completion of the stormwater project. She announced the hiring of the new Deputy Finance Director.

Jim Myers, Finance Director, introduced the new Deputy Finance Director Colleen Scott.

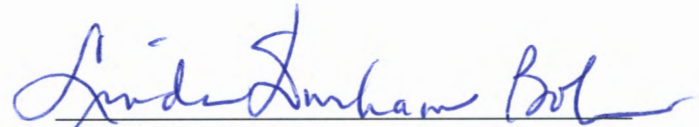
City Attorney - None

Mayor

Mayor Bob announced that "Family Night" would be held the following Thursday at Eustis Heights Elementary with Hispanic heritage activities.

X. ADJOURNMENT - 7:33 p.m.


MARY C. MONTEZ
City Clerk


LINDA DURHAM BOB
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.