APPROVED: 10/2/2014

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 18, 2014 | **6:00 PM** | **City Hall**

INVOCATION: Rev. Larry Boone, First Assembly of God

PLEDGE OF ALLEGIANCE: Commissioner LeHeup-Smith

CALL TO ORDER: Mayor Bob

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

I. AGENDA UPDATE

Dianne Kramer, Acting City Manager, requested to pull Resolution No. 14-72 from the Consent Agenda as she had a change in her recommendation, to remove Resolution No. 14-73 indefinitely and to remove Ordinance No. 14-31 from the agenda as it will be rescheduled and re-advertised due to changes by the applicant.

II. APPROVAL OF MINUTES

14219 August 21, 2014 - Regular City Commission Meeting
August 26, 2014 - City Commission Workshop
September 4, 2014 - Regular City Commission Meeting
September 4, 2014 - City Commission Workshop

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

III. PRESENTATIONS

14210 Presentation Regarding Potential Location for a Surface Water Treatment System (the Hybrid Wetland Treatment Technology [HWTT]) for Trout Lake.

Rick Gierok, Public Works Director, provided a brief review of the previous presentation regarding a proposal for Trout Lake. He introduced Tom DeBuss to provide an update on the proposed project.

Tom DeBuss, Watershed Technologies, announced that the funding had been approved by the State. He provided a Powerpoint presentation explaining the poor water quality of Trout Lake and the proposed hybrid wetland treatment technology system (HWTT). He reviewed the proposed location on the site of the City's former wastewater treatment plant effluent storage pond. He explained the facility would be designed to capture and treat wet season Hicks Ditch flows and then to treat actual Trout Lake waters during the dry season. He explained the procedures in place to be used should future funding be eliminated for continuance of the treatment facility.

He stated their request is for the Commission to agree in principal to a lease of the site for the purpose of deploying a HWTT facility. He explained the agreement would be between the City and the Florida Dept. of Agriculture.

The Commission asked if it is possible to determine the length of time the facility could be run based on current funding with Mr. DeBuss estimating the funding would probably cover the design, build and one to two years of operation after which they would work on recurring funding.

The Commission questioned the annual operating costs with Mr. DeBuss explaining the difficulty in determining operating costs at this stage due to uncertainty about the actual makeup of the pollutants. He further explained it would also depend on the amount of water treated. He added that there is not conclusive data on the amount of flow through Hicks Ditch. He confirmed they would have a better idea of the cost within the next two or three months after further testing.

The Commission questioned whether the project had been presented to the Trout Lake Nature Center and their response with Mr. DeBuss indicating some of the members were more interested in treatment of the wetlands and no use of chemicals; however, there is insufficient property to do that.

The Commission confirmed the City could rescind its approval after a period of time.

Joan Bryant, President of Trout Lake Nature Center, noted that Lake County Water Authority has allocated $100,000 to fully determine the source of pollutants. She expressed their preference that those answers be received prior to implementing treatment. She stated their support for any scientific answer that will help Trout Lake.

The Commission asked CityAttorney Schroth if the recent lawsuit filed would affect the City's ability to grant a lease with Mr. Schroth indicating they could move forward at this time but in the end they may not be able to grant a lease.

Dianne Kramer, Acting City Manager, explained the next step would probably be for an agreement to come from the State.

IV. AUDIENCE TO BE HEARD - None

V. CONSENT AGENDA

In addition to the previously mentioned items, Commissioner Muenzmay asked to also remove Res. 14-65 from the Consent Agenda for discussion.

14209 Resolution No. 14-56: Award of Bid for Sewer Rehabilitation Projects

14211 Resolution No.14-57: IAFF Agreement

14204 Resolution No. 14-68: Approval of purchase in excess of $50,000.00 for new Parks & Recreation bus

14217 Resolution No. 14-69: Reduction of Code Enforcement Fine/Release of Lien, Vacant lot east of 201 East Orange Avenue, Case #08-229

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

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

VI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

14208 Resolution No. 14-23: Award of Bid for Bay Street Median Improvements Project and Accompanying Agreements and Contracts

Derek Schroth, City Attorney, announced Resolution No. 14-23: A Resolution by the City Commission of the City of Eustis, Florida, Approving the Award of Bid #016-14 to Commercial Companies, Eustis, FL in the Amount of $129,500 for the Bay Street Median Improvements Project and Authorizing the Acting City Manager to Execute all Agreements and Contracts for said Project, Including Amendment Number 1 of the Florida Beautification Council Grant Joint Participation Agreement for Landscape Construction and Maintenance between the State of Florida Department of Transportation and the City of Eustis.

Mike Brisson, Projects Manager, explained the proposed project and funding and the previous delay due to the bid coming in too high which necessitated the project being re-designed prior to being re-bid. He explained the funding through a FDOT grant and funding leftover from the Citrus Avenue sign project.

The Commission expressed concern regarding problems in the past with weeds and increased need for maintenance with Mr. Brisson explaining the plantings and a mulch ground cover and Ms. Kramer explaining that some of the requirements for the grant were for the plants to be low water and low maintenance.

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

A motion was made by Commissioner Holland, seconded by Vice-Mayor Eckian, to Approve Resolution No. 14-23. The motion carried by the following vote:

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

14212 Resolution No.14-64: FY 14/15 Pay Plans and Merit Increases

Mr. Schroth announced Resolution No. 14-64: A Resolution by the City Commission of the City of Eustis, Lake County, Florida; Adopting a Non-Exempt, Exempt, Police and Fire Pay Plan for FY14-15 and Authorizing Employee Pay Increases for FY14-15.

Ann Isaacs, Human Resources Director, reviewed previous discussion regarding the phased-in increases to the City's pay plans and the proposed increases to the pay plans for FY2014-15. She stated they are not recommending any increases to the exempt pay ranges and for the exempt employee increases to be based fully on merit.

The Commission questioned the pay ranges, how they compare to the goal of being in the top quartile of the area, if the ranges between entry level and top of the range should be smaller, and who would authorize the one-time bonuses for individuals who have reached the maximum of their range with Ms. Isaacs explaining how the pay plan was managed in the past and indicating the one-time bonuses would be a Citywide policy not at a supervisor's discretion.

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 Commissioner Holland, seconded by Commissioner LeHeup-Smith, to Approve Resolution No. 14-64. The motion carried by the following vote:

Aye: 4 - Commissioner LeHeup-Smith; Vice-Mayor Eckian; Commissioner Holland; and Mayor Bob

Nay: 1 - Commissioner Muenzmay

14216 Resolution No. 14-66: Warley Park Conceptual Site Plan

Mr. Schroth announced Resolution No. 14-66: A Resolution of the City Commission of the City of Eustis, Florida; Approving a Conceptual Site Plan for a Senior Affordable Housing Complex on 5.89 Acres Located West of Kurt Street and North of West Charlotte St.

Ryan von Weller, Wendover Housing, reviewed the plans for their development and planned amenities for the 55 and older development.

Lori Barnes, Senior Planner, reviewed the conceptual site plan for the senior affordable housing complex to be located at Kurt Street and W. Charlotte St. She noted that concept plans were previously approved for the same site in 2009 and 2013. She explained the conceptual site plan does not grant entitlement but only allows the developer to apply for the federal housing credits. She noted the receipt of one opposition from a resident with concerns regarding Kurt St.

Mr. Schroth opened the public hearing at 6:55 p.m. There being no further public comment, the hearing was closed at 6:55 p.m.

The Commission asked about the status of the joint project with the County for reconstruction of Kurt Street with Ms. Kramer stating that a workshop has been scheduled to discuss the project.

A motion was made by Commissioner Holland, seconded by Commissioner LeHeup-Smith, to Approve Resolution No. 14-66. The motion carried by the following vote:

Aye: 4 - Commissioner LeHeup-Smith; Commissioner Muenzmay; Vice-Mayor Eckian; and Commissioner Holland

Nay: 1 - Mayor Bob

14215 Resolution No. 14-67: Edward Byrne Memorial Justice Assistance Grant

Mr. Schroth announced Resolution No. 14-67: A Resolution of the City Commission of the City of Eustis, Florida, Authorizing the Mayor and Chief of Police to Accept Available Federal Fiscal Year 2014 Edward Byrne Memorial Justice Assistance Grant Program Funds; and Authorizing the City's Finance Director to Make the Necessary Budget Adjustments to Reflect the Award and Expenditure of these Funds.

Shane McSheehy, Eustis Police Department, explained the proposed use of Edward Byrne Memorial Justice Assistance Grant Funds to purchase policy, standards, and training management software and 40 patrol vehicle first aid kits. He noted that a presentation regarding their new accreditation program will be provided to the Commission on October 2nd. He explained that the proposed software is critical for the Department to achieve the accreditation.

The Commission questioned the use of the program with Lt. McSheehy explaining it does not provide training content but facilitates the tracking and documentation of training.

Mr. Schroth opened the public hearing at 6:58 p.m. There being no public comment, the hearing was closed at 6:58 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner LeHeup-Smith, to Approve Resolution No. 14-67. The motion carried by the following vote:

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

14206 Resolution No. 14-70: Establishing the Final Millage Rate for FY 2014

Mr. Schroth announced Resolution No. 14-70: 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 2014-2015; Providing for an Effective Date.

Jim Myers, Finance Director, announced this was the second and final hearing for adoption of the proposed final millage rate. He stated the fiscal year 2014-2105 proposed final operating millage rate is 7.5810 mils which is greater than the roll back rate of 7.3935 mils and increases taxes by 2.54%.

Mr. Schroth opened the public hearing at 7:00 p.m. There being no public comment, the hearing was closed at 7:00 p.m.

The Commission commented on the City's ranking within the County in millage rates, the County audit on the penny sales tax and the effect on millage rates if the renewal of the sales tax fails. It was noted that the Lake County League of Cities is working with Commissioner Sullivan on the penny sales tax renewal.

A motion was made by Commissioner Holland, seconded by Vice-Mayor Eckian, to Approve Resolution No. 14-70. The motion carried by the following vote:

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

14207 Resolution No. 14-71: Adopting the Final Budget for FY 2014-15 and the Capital Improvement Plan for FY 2014-15

Mr. Schroth announced Resolution No. 14-71: A Resolution by the City Commission of the City of Eustis, Lake County, Florida; Adopting the Final Budget for Fiscal Year 2014-2015 Which Shall Include the Capital Improvement Program for the City of Eustis; Providing for an Effective Date.

Mr. Myers explained it was the second and final hearing and provided an overview of the proposed budget for FY2014-15.

Mr. Schroth opened the public hearing at 7:16 p.m. There being no public comment, the hearing was closed at 7:16 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner Muenzmay, to Approve Resolution No. 14-71. The motion carried by the following vote:

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

VII. OTHER BUSINESS

14221 Update on the US 441 Alternatives Analysis

Ms. Kramer reported on the meeting regarding the U.S. Hwy. 441 alternatives analysis. She explained the options for addressing the traffic congestion along the 441 corridor and reported on the project advisory group meeting. She explained that the density is insufficient to justify going forward with commuter rail. She cited local opposition to proceeding with the PD&E study based on the cost. She stated the public meeting would be held on Monday, September 29th at the Tavares Civic Center.

14203 Resolution No. 14-65: Amendments to Personnel Rules

Commissioner Muenzmay explained his reason for requesting the resolution be pulled from the Consent Agenda. He questioned having an open time frame for an improvement plan and recommended that it be defined with a minimum of at least six months.

Mayor Bob opened the floor to public comment at 7:26 p.m. There being no public comment, the hearing was closed.

A motion was made by Commissioner Muenzmay, seconded by Commissioner Holland, to Approve Resolution No. 14-65 as amended to require a minimum six months for any improvement plan. The motion carried by the following vote:

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

14205 Resolution No. 14-72: Community Support Grants

Ms. Kramer explained that she would like to amend her recommendation for Resolution No. 14-72 and eliminate the $5,000 grant to Trout Lake Nature Center. She commented on the recent lawsuit supported by the Nature Center and cited other support that the City provides and has provided to the Center. She noted a letter received from a taxpayer recommending that the support fo the Center be reduced to cover the cost of responding to the lawsuit.

Mr. Schroth opened the public hearing at 7:29 p.m.

Joan Bryant, President of Trout Lake Nature Center, commented on the mission of the nature center.

There being no further public comment, the hearing was closed at 7:32 p.m.

The Commission commented on the number of phone calls received in opposition to providing funding to the Nature Center and the need to develop a policy to determine how to provide grants.

A motion was made by Commissioner Holland, seconded by Commissioner Muenzmay, to Approve Resolution No. 14-72 as amended. The motion carried by the following vote:

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

VIII. FUTURE AGENDA ITEMS

Commissioner Holland suggested a workshop be scheduled to develop the grant funding policy.

Vice Mayor Eckian asked the City Manager to consider a continuing services agreement with a real estate company to help evaluate properties in preparation for sale.

IX. COMMENTS

City Manager

Commissioner Muenzmay commented on his recent vacation in Ireland and the work necessary for renewal of the penny sales tax.

Commissioner LeHeup-Smith noted the Lake Eustis Museum of Art exhibit opening with admission courtesy of The Village Framer, the Chamber of Commerce meeting, the renaming of the monthly street parties as "Eustis Live" and noted they will not always be on the first Friday. She cited the following events: October 3rd - Turn Eustis Pink and the September Eustis Yard Sale with all of the Kiwanis' proceeds to go for scholarships for Eustis High School and Alee Academy.

Vice Mayor Eckian announced the October 9th Boys & Girls Club Fish Fry to benefit the Eustis & Umatilla clubs and the Lake Co. Folk Festival to be held Oct. 11 – 13.

Commissioner Holland reminded everyone about the Eustis High School home football game with the City to present a $1,000 check to the school. He thanked City staff for all their work.

City Manager

Ms. Kramer announced the workshop with Trout Lake Nature Center would be cancelled but she would place an item under "Other Business" to discuss the City property.

City Attorney

Mr. Schroth reported his office had completed the closings on the sale of four of the City surplus properties and checks had been delivered to the City totaling $33,817 with other sales still to be completed.

Mayor

Mayor Bob commented on personal issues she had experienced since taking office. She further commented on the importance of families. She announced the meeting would be followed by a workshop regarding Eustis Partners LLC and announced a 10 min. break between the meetings.

X. ADJOURNMENT - 7:53 p.m.

Mary C. Montez

MARY C. MONTEZ
City Clerk

Linda Durham Bob

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.