



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 15, 2014

6:00 PM

City Hall

INVOCATION: Rev. W. H. Volland, Epiphany Anglican Church

PLEDGE OF ALLEGIANCE: Commissioner Muenzmay

CALL TO ORDER: Mayor Bob

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

14131 May 1, 2014 Regular City Commission Meeting

Mayor Bob requested an amendment to the minutes to include a statement regarding the odor complaint about Florida Foods that was made about "not moving the odor problem from one location to another".

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

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

III. PRESENTATIONS

14125 Library Summer Reading Program Presentation

Lauren McLaughlin, Youth Services Librarian, presented plans for the 2014 Summer Reading Program - Fizz, Boom, Read! - and explained why reading over the summer is so important for youth.

14129 At Risk Youth Scholarship Fund

Joe LaPolla, Parks and Recreation Director, gave a presentation regarding the possible creation of an At Risk Youth Scholarship Fund to assist with fund-raising activities to provide scholarships for at-risk youth to attend the various City recreation programs. He commented on the current scholarships provided and explained the need for additional funding adding that the current cost will be over \$2,500 to cover the applications for the summer program. He reviewed various proposed fund-raising events including a golf tournament to be held in October.

IV. AUDIENCE TO BE HEARD - None

V. CONSENT AGENDA

- 14123 Resolution No. 14-31: Approval of Purchase in Excess of \$50,000 for CUES TV Inspection Truck System Retrofit
- 14127 Resolution No. 14-32: Release of Lien, 829 Edgewater Circle - Code Enforcement Cases 08-041, 08-171 & 11-110
- 14128 Resolution No. 14-33: Release of Lien, 638 Palmetto Street - Code Enforcement Case 13-00026
- 14134 Resolution No. 14-35: Fire Permit and Inspection Fees

A motion was made by Commissioner Holland, seconded by Commissioner Muenzmay, 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

- 14133 Resolution No. 14-30: Variance to Land Development Regulations Section 109-4.2(e)(2); Fence

Derek Schroth, City Attorney, announced Resolution No. 14-30: A Resolution of the City Commission of the City of Eustis, Florida; Granting Approval for a Variance to the City of Eustis Land Development Regulations Section 109-4.2(E)(2), Allowing a 6-foot Privacy Fence Within the Street Setback Yard (Country Club Road), on Approximately 0.25 Acres Located at 801 Club Hills Dr.

Lori Barnes, Senior Planner, explained the requested variance for a six-foot privacy fence within the street setback yard and the problem with a conflict between the applicant's deed restrictions and the City's land development regulations. She stated the request meets the criteria for a variance and expressed staff's recommendation for approval.

Mayor Bob noted that the neighbors behind the applicant's home have the same fence.

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

A motion was made by Commissioner Holland, seconded by Commissioner Muenzmay, to Approve Resolution No. 14-30. The motion carried by the following vote:

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

- 14126 Resolution No. 14-34: Rejection of the Proposed Interlocal Agreement for the Distribution of the Local Option Fuel Tax

Mr. Schroth announced Resolution No. 14-34: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, Rejecting the Proposed Interlocal Agreement Between Lake County and Municipalities Relating to the Local Option Fuel Tax and Encouraging the Lake County Commission to Reconsider the Agreement Upon Renewal of the Third, Fourth, Fifth and Six Cent Local Option Fuel Tax to Include Transportation Expenditures as Part of the Municipal Distribution Formula.

Jim Myers, Finance Director, noted the previous discussion with the Commission regarding the proposed interlocal agreement and the distribution formula for the first two cents of the local option fuel tax. He explained the financial impact to the City if the same formula is utilized for the remaining portions of the fuel tax.

Mr. Schroth opened the public hearing at 6:26 p.m. There being no public comment, the hearing was closed at 6:26 p.m.

The Commission discussed the need for the cities to contact their respective County Commissioners regarding the impact of their action on the cities and their residents.

CONSENSUS: It was a consensus of the Commission for the Acting City Manager to send a letter to the County Commissioners, along with a copy of the resolution.

A motion was made by Commissioner Holland, seconded by Vice-Mayor Eckian, to Approve Resolution No. 14-34. The motion carried by the following vote:

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

SECOND READING

14118 Ordinance No. 14-23: Lot Line Deviation

Mr. Schroth read Ordinance No. 14-23 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, Adding Subsection (G) Lot Line Deviations to Section 102-11 of the City of Eustis Land Development Regulations; Providing for Codification; and Providing for an Effective Date.

Mr. Schroth opened the public hearing at 6:29 p.m. There being no public comment, the hearing was closed at 6:29 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner LeHeup-Smith, to Adopt Ordinance No. 14-23 on second reading. The motion carried by the following vote:

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

14113 Ordinance No. 14-24: Conditional Use Permit for Existing Accessory Apartment at 4 Cypress Drive

Mr. Schroth read Ordinance No. 14-24 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, Approving a Conditional Use Permit for an Existing Accessory Apartment in a Suburban Residential (SR) Land Use District on Approximately 0.43 Acres Located at 4 Cypress Drive.

Mr. Schroth opened the public hearing at 6:30 p.m. There being no public comment, the hearing was closed at 6:30 p.m.

A motion was made by Commissioner Muenzmay, seconded by Commissioner Holland, to Adopt Ordinance No. 14-24 on second reading. The motion carried by the following vote:

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

14117 Ordinance No. 14-25: Stormwater Utility

Mr. Schroth read Ordinance No. 14-25 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, Replacing in its Entirety Article III, Stormwater Utility, of Chapter 94 of the Eustis Code of Ordinances; Providing for Codification; and Providing for an Effective Date.

Mr. Schroth opened the public hearing at 6:31 p.m. There being no public comment, the hearing was closed at 6:31 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner LeHeup-Smith, to Adopt Ordinance No. 14-25 on second reading. The motion carried by the following vote:

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

FIRST READING

14122 Ordinance No. 14-26: Consenting to the Inclusion of the City within the County MSTU for Ambulance and EMS

Mr. Schroth read Ordinance No. 14-26 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 (1) (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.

Dianne Kramer, Acting City Manager, explained the purpose of the ordinance to continue the City's inclusion in the Countywide Municipal Service Taxing Unit for the provision of Ambulance and Emergency Medical Services. She noted that as requested by the Commission, the ordinance was drafted for another one-year term.

Mr. Schroth opened the public hearing at 6:32 p.m. There being no public comment, the hearing was closed at 6:32 p.m.

A motion was made by Commissioner Holland, seconded by Vice-Mayor Eckian, to Approve Ordinance No. 14-26 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

14132 Ordinance No. 14-27: Schedule of Fees

Mr. Schroth read Ordinance No. 14-27 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; Repealing Ordinance No. 10-09, Schedule of Fees; Establishing New Fees for City Review of Land Development Activities and Related City Services; Providing for an Effective Date.

Ms. Kramer requested continuance to June 5th. She explained that the City Attorney has advised that the City could legally advertise in the North Lake Outpost which would significantly reduce the City's advertising cost which could enable staff to reduce the proposed fees.

The Commission questioned whether or not it would be legal to advertise in the Outpost in light of upcoming controversial issues with Mr. Schroth stating his opinion that it is legal but he acknowledged that the circulation is not as broad and someone could possibly challenge the advertisement.

The Commission expressed concern about the possibility that the public could think the City was trying to conceal something by advertising in a newspaper with a smaller circulation. They confirmed that the fee schedule in the ordinance is based on the rates being charged by the Lake Sentinel and discussed some of the fees in the schedule including the additional fee for community meetings.

Ms. Kramer suggested continuing the meeting so staff could further review the fees to identify those that possibly could be advertised elsewhere to reduce costs with Mr. Schroth cautioning against advertising some items in one paper and some in another.

The Commission discussed only utilizing one advertising source and continuing to advertise in either the Lake Sentinel or Daily Commercial in order to reach a broader circulation.

Mr. Schroth opened the public hearing at 6:40 p.m. There being no public comment, the hearing was closed at 6:40 p.m.

A motion was made by Vice-Mayor Eckian, seconded by Commissioner Holland, to Approve Ordinance No. 14-27 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

14130 Cancellation or Rescheduling of July 3, 2014 Commission Meeting

Ms. Kramer stated the first meeting in July is scheduled for July 3rd, the evening before the Independence Day holiday. She explained that due to the close proximity to the holiday and the possibility of staff and Commission vacations, administration wanted to provide the Commission with the opportunity to cancel or reschedule the meeting. She noted that, due to advertising and scheduling requirements, a decision needed to be made regarding the meeting as soon as possible.

Mayor Bob opened the floor to public comment at 6:41 p.m. No one came forward at that time.

CONSENSUS: It was a consensus of the Commission to cancel the July 3rd Commission meeting.

VIII. FUTURE AGENDA ITEMS

Vice Mayor Eckian confirmed the first meeting with the Waters Group would be June 18th.

Commissioner LeHeup-Smith requested that a presentation by the Open Door group be scheduled regarding the homeless drop-in center and that a discussion on Sharp's Park be scheduled.

Ms. Kramer confirmed that the Sharp's Park discussion should be held in a workshop. She then suggested the CIP (Capital Improvement Program) workshop be held on June 17th at 5 p.m.

CONSENSUS: It was a consensus of the Commission to hold the CIP workshop on June 17th at 5:00 p.m.

IX. COMMENTS

City Attorney - None

City Commission

Commissioner Holland reported that he and Commissioner Muenzmay served as judges for the Bayview Center's Southern Belle pageant. He encouraged the public to visit the center and its residents. He stated that he and Nancy Muenzmay took a tour of the Florida Foods plant and noted that the odor has diminished. He commented on the number of employees at the plant and the level of re-investment in the facility. He added they have invited the rest of the Commission to tour the facility. He indicated they also have a 20,000 sq.ft. warehouse they are looking to lease and cited the possibility that Lake County Economic Development and the City's new Economic Development Director could assist with that.

Vice Mayor Eckian thanked staff for working with Florida Foods on their effluent issue. He congratulated the Eustis High and Eustis Middle School Bands on their spring concert.

Commissioner LeHeup-Smith also complimented the schools on the band concert and cited the expense of the instruments and their need for financial assistance. She commented on the community yard sale in Ferran Park hosted by the Kiwanis Club and the City.

Commissioner Muenzmay agreed that the odor from Florida Foods is noticeably better and thanked staff for their efforts. He reported on his attendance at the Bates Avenue Neighborhood Council meeting and commented on the anticipated changes. He also commented on the Southern Belle pageant.

City Manager

Ms. Kramer noted the upcoming Water Safety Day event with Mr. LaPolla providing an overview of the event and the City's participation. He complimented staff member Rachael Amman for her efforts on the event.

Ms. Kramer noted that Sunrail has started and stated that the City has received questions about it coming to Lake County. She stated that FDOT will have a booth at the June 6th First Friday event to provide information and obtain input regarding commuter rail. She reported that the City processing of the Florida Food effluent has been successful and stated that a proposal will be coming back to the Commission for the City to do that on a regular basis and set the fees for that service. She explained the flag was at half-staff in remembrance of Peace Officers' Memorial Day.

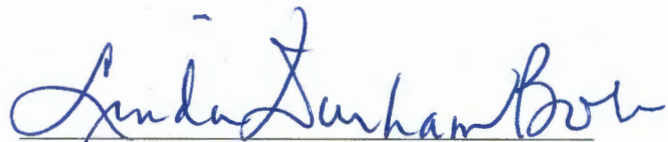
Mayor

Mayor Bob commented on the current testing of kindergartners and first-graders at the school and the upcoming summer vacation. She noted May 30th will be high school graduation with baccalaureate services to be held the Sunday prior to graduation.

Commissioner Holland reported that the Eustis Historical Museum Society had met and elected a new board. He stated they would be introduced at the next Commission meeting.

X. ADJOURNMENT - 6:59 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.