APPROVED: 2/20/2014

City of Eustis, Florida

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

Meeting Minutes – Final*
City Commission

Thursday, February 6, 2014 | **6:00 PM** | **City Hall**

CALL TO ORDER: Mayor Bob

INVOCATION: Rev. Elijah Perry, Church of God by Faith

PLEDGE OF ALLEGIANCE: Commissioner Holland

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

Mayor Bob informed the audience that the City's livestreaming would not be available due to technical difficulties.

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

I. AGENDA UPDATE - None

II. APPROVAL OF MINUTES

14067 January 9, 2014 - City Commission Workshop
January 16, 2014 - Regular City Commission Meeting
January 16, 2014 - City Commission Workshop

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

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

III. INCOMING MAYOR'S MESSAGE

14042 *Mayor Bob presented her 2014 Incoming Mayor's Message as follows:*
"When researching any great civilization, we begin by researching its past, collecting data on the present, and predicting its future. Having grown up in Eustis in the 60s-70s, I can tell you the population was around 6,000 made up mostly of seniors. A graduating class was approximately 100-130 students. The largest employer was Waterman Hospital, the 2nd largest was Sprint. There were five large active churches, with a few smaller ones in the heart of Eustis.

Transportation was usually by walking, and taxis when grocery shopping. There were families that owned cars, but they were a luxury item. Telephone lines were shared by many households. Calling to Eustis, Mt. Dora, Umatilla, or Tavares cost twenty five cents. There were three channels, managed by rabbit ears for good reception.

Where are we now? Our hospital relocated to Tavares, and Sprint was broken up into many pieces. The largest employer in Eustis is currently Lake County Schools, where between 300-400 students graduate from Eustis High School every year. Our second largest employer is the City of Eustis, who employs 200 full time employees. Church membership is no longer viewed as a necessity, sports and recreational activities are now the activity of choice.

Our current projects are: Completion of Palmetto Plaza, the start of our new Fire Station that will be completed in the fall, and improvement to our Rail system.

Our City website and library are equipped with the latest technological advances. Sidewalks are paved throughout the city, and many modes of transportation are available. We recently buried the time capsule in celebration of Florida's 500 year anniversary. I know our future residents when digging it up will see many improvements.

Our planning must consider the needs of all ages, because as we see from our past, children come even if we fail to plan for them. The destiny of Eustis lies in the hands of our elected positions, and our City Employees. Our ability to make decisions without compromising is important. For every decision we make, it either pushes us forward, or sets us back. With domestic violence, homelessness, sexual abuse, drug abuse, and mental illness on the rise, we have work to do. We have lost too much time, and must redeem the time lost. I know we are ready for the challenges that face us.

Therefore, my trust will never be in the number of friends I can gain in this position, but in prayer to God who is ever present. I am honored to have been chosen as your Mayor for 2014."

IV. PRESENTATIONS

14063 Presentation of Black History Month Proclamation

Mayor Bob and Vice Mayor Eckian presented a proclamation to Carla Mitchell and the Eustis African-American Heritage Festival Committee recognizing Black History Month and the 21st Annual African-American Heritage Celebration.

Carla Mitchell thanked the Commission for the proclamation and presented a plaque in recognition of the City's 21 years of support for the celebration.

14060 Community Development Block Grant Application for Phase II Improvements at Palmetto Plaza

Kevin Sudbury, Angie Brewer and Associates, explained to the Commission his recommendation that the City not submit a Community Development Block Grant application in the current fiscal year and issues with the application process. He explained why the City's estimated score was lower than what is anticipated to be used for funding by the State. He informed the Commission they would not be billing the City for the preliminary work done for the grant application. He stated they have prepared a report regarding possible alternative funding for the Palmetto Plaza project. He commented on the possibility of applying in the next CDBG funding cycle and the possibility of obtaining a higher score at that time. He distributed copies of his report to the Commissioners.

The Commission asked if the report includes recommendations of grants the City should pursue with Mr. Sudbury responding all of the grants included are viable opportunities. He noted they included time frames and deadlines for each of the grant cycles and recommended they obtain recommendations from Ms. Kramer.

Dianne Kramer, Acting City Manager, explained if the Commission wanted to proceed with the CDBG application, they would need to provide that direction.

The Commission questioned whether there might be fewer applications due to the short window and other confusion with Mr. Sudbury stating his opinion there would not be a significant drop off in applications.

The Commission discussed the original timeline for the project being ahead of schedule and the possibility of still completing the project within the original timeframe with either the next CDBG funding cycle or other grants.

Mayor Bob asked for public input. No one came forward at that time.

CONSENSUS: It was a consensus of the Commission to not proceed with the CDBG application.

14066 Presentation of the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for the fiscal year ending September 30, 2012.

Jim Myers, Finance Director, announced to the Commission the award to the City of the Certificate of Achievement for Excellence in Financial Reporting. He noted it is the 25th consecutive year the City has received the award and presented the plaque to the Mayor.

14057 Presentation Regarding the Potential Purchase and Development of Property Located North of Magnolia Avenue and South of Clifford Avenue

Daniel DiVenanzo proposed the Commission consider purchasing the vacant property located north of Magnolia Avenue and south of Clifford Avenue. He asked that staff be directed to investigate the purchase and have public meetings to receive input on the proposal. He provided information regarding possible cost to purchase the property and estimated costs for construction of a below ground parking garage and above ground buildings. He commented on difficulties in the past with other proposals, cited the need for downtown apartments and suggestions for addressing parking issues.

The Commission questioned the viability of building on the northernmost property and the possibility of pilings existing on the site that were utilized in construction of the hospital.

Mr. DiVenanzo responded that the southeast corner of the property is fully capable of supporting construction; however, the rest of the site would depend on the size of the buildings. He commented on the possible use of the southern parcel as a parking garage due to the existing topography.

The Commission discussed the proposal with the following comments: 1) the City's previous investment in the downtown with infrastructure improvements and the extension of Macdonald Avenue; 2) other possible locations for parking garages; 3) a submitted site plan already being under review for the same location; 4) concern regarding utilizing public money to purchase property; 5) the need for development of the downtown area; 6) looking at property the City already owns for possible development; 7) concern regarding the availability of funding; 8) the possibility of developers being interested in the property once there is an approved site plan; 9) the possibility of Mr. DiVenanzo presenting his proposal to other developers already working in the area; 10) the purpose of the City to provide infrastructure and not act as a developer; and 11) the number of infrastructure projects that the City already has prioritized.

Mayor Bob opened floor to public comment at 7:14 p.m. No one came forward at that time.

The Commission further discussed the proposal with additional comments: 1) the contributions made to the community by Mr. DiVenanzo; 2) the lack of available funding and other funding priorities; 3) the possibility of scheduling a public hearing on the proposal; and 4) how far along the current site plan is in the process with Ms. Kramer indicating it has just been submitted and has not yet been reviewed.

Mr. DiVenanzo questioned what would be an acceptable timeframe for the site plan to reach fruition.

The Commission discussed the need for the proposal to be considered by a private developer, development of the waterfront, and not using public funds for development purposes.

V. AUDIENCE TO BE HEARD

Christie Bobbitt, Executive Director of the Eustis Area Chamber of Commerce, reported on the Chamber's work on the upcoming Georgefest to be held February 28th through March 1st. She stated the City would be receiving tickets for staff members to attend the VIP reception and distributed invitations to the Commissioners.

VI. CONSENT AGENDA

14043 Historic Preservation Board Annual Report

14047 Resolution No. 14-07: Purchase of New John Deere 410K Backhoe Loader

14049 Resolution No. 14-08: Florida Highway Beautification Council Grant Joint Participation Agreement Between FDOT and the City of Eustis.

14061 Resolution No. 14-09: Fountain Green Lease Agreement

14062 Resolution No. 14-10: Renewal of Parking Lot Lease

14050 Resolution No. 14-11: Acceptance of FY2013 Byrne Memorial JA Grant to Purchase Electronic Tablet and Keyboard Devices

A motion was made by Commissioner Holland, seconded by Vice-Mayor Eckian, for Approved. The motion carried by the following vote:

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

VII. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

14048 Resolution No. 14-06: IAFF Collective Bargaining Agreement

Derek Schroth, City Attorney, announced Resolution No. 14-06: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, Approving a Collective Bargaining Agreement Between the City of Eustis and Eustis Professional Firefighters, Local 4732 International Association of Firefighters (IAFF) as Set Forth in Exhibit "A".

Ann Isaacs, Human Resources Director, presented an overview of the proposed collective bargaining agreement and agreed upon changes.

Mr. Schroth opened the public hearing at 7:25 p.m. There being no public comment, the hearing was closed at 7:25 p.m.

A motion was made by Commissioner Holland, seconded by Vice-Mayor Eckian, to Approve Resolution No. 14-06. The motion carried by the following vote:

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

SECOND READING

14051 Ordinance No. 14-04: Voluntary Annexation - Multiple Properties in Various Enclaves as Shown in Exhibit A

Mr. Schroth read Ordinance No. 14-04 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Florida; Voluntarily Annexing Approximately 5.89 Acres of Real Property Located in Various Enclaves Within the City, as Shown in Exhibit A, and More Particularly Described Herein.

Mr. Schroth opened the public hearing at 7:25 p.m. There being no public comment, the hearing was closed at 7:25 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner LeHeup-Smith, to Adopt Ordinance No. 14-04 on second reading. The motion carried by the following vote:

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

14052 Ordinance No. 14-05: Comprehensive Plan Amendment (Small Scale) for Multiple Properties in Various Enclaves as Shown in Exhibit A

Mr. Schroth read Ordinance No. 14-05 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, Amending the City of Eustis Comprehensive Plan Pursuant to 163.3187(1) F.S.; Changing the Future Land Use Designation of 5.89 Acres of Recently Annexed Real Property located in Various Enclaves Within the City, as Shown in Exhibit A, and More Particularly Described Herein, from "Urban Low" and "Urban Medium" in Lake County to "Residential Office Transition" (RT), "Suburban Residential" (SR), and "General Commercial" (GC) in the City of Eustis.

Mr. Schroth opened the public hearing at 7:26 p.m. There being no public comment, the hearing was closed at 7:26 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner Muenzmay, to Adopt Ordinance No. 14-05 on second reading. The motion carried by the following vote:

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

14053 Ordinance No. 14-06: Design District Map Amendment for Multiple Properties in Various Enclaves as Shown in Exhibit A

Mr. Schroth read Ordinance No. 14-06 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; Assigning the Design District Designation of 5.89 Acres of Recently Annexed Real Property Located in Various Enclaves Within the City; as Shown in Exhibit A, and More Particularly Described Herein, as Suburban Neighborhood, Suburban Corridor, Urban Neighborhood and Urban Corridor.

Mr. Schroth opened the public hearing at 7:27 p.m. There being no public comment, the hearing was closed at 7:27 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner LeHeup-Smith, to Adopt Ordinance No. 14-06 on second reading. The motion carried by the following vote:

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

14054 Ordinance No. 14-07: Voluntary Annexation - Multiple Properties in Various Enclaves as Shown in Exhibit A

Mr. Schroth read Ordinance No. 14-07 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Florida; Voluntarily Annexing Approximately 1.8 Acres of Real Property Located in Various Enclaves Within the City, as Shown in Exhibit A, and More Particularly Described Herein.

Mr. Schroth opened the public hearing at 7:27 p.m. There being no public comment, the hearing was closed at 7:27 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner Muenzmay, to Adopt Ordinance No. 14-07 on second reading. The motion carried by the following vote:

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

14055 Ordinance No. 14-08: Comprehensive Plan Amendment (Small Scale) for Multiple Properties in Various Enclaves as shown in Exhibit A

Mr. Schroth read Ordinance No. 14-08 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, Amending the City of Eustis Comprehensive Plan Pursuant to 163.3187(1) F.S.; Changing the Future Land Use Designation of 1.8 Acres of Recently Annexed Real Property Located in Various Enclaves Within the City, as Shown in Exhibit A, and More Particularly Described Herein, from "Urban Low" and "Urban Medium" in Lake County to "Residential Office Transitional" (RT), and "Public/Institutional" (PI).

Mr. Schroth opened the public hearing at 7:28 p.m. There being no public comment, the hearing was closed at 7:28 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner LeHeup-Smith, to Adopt Ordinance No. 14-08 on second reading. The motion carried by the following vote:

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

14056 Ordinance No. 14-09: Design District Map Amendment - Multiple Properties in Various Enclaves as Shown in Exhibit A

Mr. Schroth read Ordinance No. 14-09 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; Assigning the Design District Designation of 1.8 Acres of Recently Annexed Real Property Located in Various Enclaves Within the City, as Shown in Exhibit A, and More Particularly Described Herein, as Suburban Neighborhood, Suburban Corridor, and Urban Corridor.

Mr. Schroth opened the public hearing at 7:29 p.m. There being no public comment, the hearing was closed at 7:29 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner LeHeup-Smith, to Adopt Ordinance No. 14-09 on second reading. The motion carried by the following vote:

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

VIII. OTHER BUSINESS

14045 Progress Report - Kurt Street & Ardice Avenue Intersection Improvements

Ms. Kramer explained that $60,000 was budgeted for the Kurt Street and Ardice Avenue intersection improvements; however, Lake County only received two bids which were both more than anticipated resulting in an increase in the City's share to $88,000. She stated the additional funds are available in the Sales Tax Fund.

The Commission discussed the increase in cost and asked if the County and City Public Works departments could cooperate and do the work themselves.

John Futch, Public Works Director, stated that the City offered to do the work if the County paid their half; however, the County had concerns regarding self-performing the work due to the ADA complaint.

Ms. Kramer noted that one of the concerns is that the project be completed as quickly as possible and that might not occur if the City undertook it.

Mayor Bob opened the floor to public comment at 7:34 p.m. No one came forward at that time.

The Commission questioned whether the project will address any of the drainage issues.

Rick Gierok, City Engineer, explained the project will remove the bump and improve the drivability of the intersection and bring the intersection into ADA compliance but it will not address the drainage issues. He stated that the project will not be further detrimental to the drainage and will help somewhat.

Mr. Schroth explained the project is the result of the agreement with the Federal Department of Transportation as the result of a complaint brought by Leonard Wheeler. He stated the project will bring the City into ADA compliance and stop any action by the Department of Transportation.

CONSENSUS: It was a consensus of the Commission for staff to bring the project forward at the February 20th meeting for formal consideration.

14046 City Manager Recruitment

Ms. Isaac stated they were requesting direction from the Commission regarding moving forward with the City Manager recruitment. She noted it will require re-issuance of the RFP.

The Commission discussed whether or not sufficient direction was provided to develop a profile with Ms. Isaacs noting that the recruitment firm selected will want to hold their own workshop to review the process and develop a profile.

CONSENSUS: It was a consensus of the Commission for staff to proceed with the recruitment process.

14058 Approval of 2014 Budget Calendar and Commission Workshop Schedule

Ms. Kramer referred to the draft calendar provided in the agenda packet noting the additional workshop in June.

CONSENSUS: It was a consensus to proceed with the budget calendar as presented.

14059 Appointment To Lake County League of Cities Gas Tax Working Group

Ms. Kramer explained the need to appoint a Commissioner to represent the City on the League of Cities' gas tax working group.

Commissioner Holland asked not to serve due to his other work with the League of Cities and recommended the appointment of Vice Mayor Eckian.

CONSENSUS: It was a consensus of the Commission to appoint Vice Mayor Eckian to the working group.

The Commission discussed the current proposal for the gas tax distribution formula and the amount of funding the City may lose with Vice Mayor Eckian requesting to receive copies of the enabling legislation and any case law or attorney general opinions pertaining to the issue.

Mr. Myers explained that enough cities representing more than 50% of the incorporated population in Lake County are required to sign off on the formula. He stated his belief the County did not have sufficient cities agreeing to the new formula as of yet. He reviewed a history of the development of the gas tax distribution formula.

Vice Mayor Eckian asked to also receive the population statistics.

14064 Re-consideration of Ordinance No. 14-16 with Revisions

Ms. Kramer explained that, since the ordinance was defeated, the Commission's Rules of Order state that the Commission must take a vote to reconsider it. If that vote is undertaken, then they would need to provide direction on how to revise the ordinance.

The Commission discussed revising the ordinance as follows: 1) Removal of section b) 3 allowing the incremental implementation of the correct billing; and 2) Rewording the ordinance so that it does not encourage customers to not report underbilling.

A motion was made by Vice-Mayor Eckian, seconded by Commissioner LeHeup-Smith, for Ordinance No. 14-16 to be revised according to the discussion and brought back on first reading. The motion carried by the following vote:

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

IX. FUTURE AGENDA ITEMS - None

X. COMMENTS

City Commission

Commissioner Holland cited the upcoming African-American Heritage Festival and GeorgeFest and expressed sympathy to the Granger family on the loss of Mrs. Granger.

Commissioner Muenzmay reported on his attendance at the Sailing Regatta. He announced that Nancy Muenzmay is working on a project with the County, School Board and the school career academies for an expo on education and business. He stated that it will be held on the same night as a Commission meeting and added he will bring back the actual date so the Commission can consider rescheduling the meeting so they can attend the event.

Commissioner LeHeup-Smith commented on the upcoming Lake Eustis Museum of Art events. She distributed meeting notes from the first Homeless Advisory Committee meeting. She recognized Kim Winn's February birthday and distributed Valentine's Day tokens.

Vice Mayor Eckian noted the Trout Lake Nature Center event on Feb. 15th and complimented the police and fire depts. on their response to the fire at Country Club Mobile Home Park. He also complimented Code Enforcement Supervisor Eric Martin on his assistance to the homeowner.

Commissioner Holland noted the February First Friday event and announced that Eustis High School would be playing at Mount Dora High School for the district basketball championship.

Mayor Bob announced the passing of her husband's oldest brother. She recommended checking the City's website for community activities.

City Manager - None

City Attorney

Mr. Schroth noted there was a question regarding the personal notes the Commissioners take during meetings and informed the Commission that notes they take for their own reference are not public records and may be disposed of following the meeting.

XI. ADJOURNMENT - 8:06 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.