



# City of Eustis, Florida

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

## Meeting Minutes - Final City Commission

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Thursday, December 3, 2015

6:00 PM

City Hall

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**INVOCATION: Rev. Buddy Walker, Commissioned Beyond Borders**

**PLEDGE OF ALLEGIANCE: Commissioner Gnann-Thompson**

**CALL TO ORDER: Mayor Holland- 6:01 p.m.**

### **ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE**

**Present:** 5 - Commissioner Bill Brett; Commissioner Carla Gnann-Thompson; Vice-Mayor Karen LeHeup-Smith; Commissioner Linda Bob; and Mayor Michael Holland

#### **I. AGENDA UPDATE - None**

#### **II. APPROVAL OF MINUTES**

[15287](#)

November 19, 2015 - Regular City Commission Meeting

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

**Aye:** 5 - Commissioner Brett; Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

#### **III. AUDIENCE TO BE HEARD**

*Emily Lee addressed the Commission regarding the Bates Avenue Neighborhood Improvement Program and the results of the closing of the resource center. She introduced Pastor Buddy Walker from Commissioned Beyond Borders.*

*Pastor Walker presented to the Commission a proposal regarding the Bates Avenue Resource Center. He noted that Commissioned Beyond Borders is a 501(c)(3) organization. He stated their request to utilize the Bates Avenue facility for their programs. He added that Emily Lee would serve the center as an advisor and community liaison. He explained their proposed programs.*

*The Commission asked Pastor Walker and Ms. Lee to present their proposal to the City Manager to have it brought back to the Commission for consideration.*

#### **IV. CONSENT AGENDA**

- [15286](#) Resolution No. 15-88: Purchase Exceeding \$50,000 for Odor and Corrosion Control
- [15276](#) Resolution No. 15-101: Right-of-Way Utilization Permit - 24 East Magnolia Avenue (Harper's Alley)
- [15277](#) Appointment to the Library Board of Trustees - Gwendolyn Manning
- [15279](#) Appointment to Historic Preservation Board - Joseph Pellegrini
- [15280](#) Appointment to Code Enforcement Board - Martin Fitzgerald
- [15281](#) Appointment to the Lake-Sumter MPO Bicycle and Pedestrian Advisory Committee (BPAC) - Lori Barnes
- [15278](#) Historic Preservation Annual Report

**A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Approve the Consent Agenda. The motion carried by the following vote:**

**Aye:** 5 - Commissioner Brett; Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

## V. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

- [15282](#) Resolution No. 15-99: Fence Variance - 3877 Blue Crest Avenue

*Derek Schroth, City Attorney, announced Resolution No. 15-99: 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 (East Bluewater Edge Drive), on approximately 0.25 acres located at 3877 Blue Crest Ave.*

*Alicia Hester, Development Services, explained the requested variance to allow a 6-foot privacy fence. She reviewed the location noting that the fence would abut a 2.5 acre stormwater retention area. She stated that the adjoining properties are permitted a full 6-foot privacy fence.*

*Mr. Schroth opened the public hearing at 6:13 p.m.*

*Bobby Arnold, property owner, confirmed that the fence would not block any views. He stated that he spoke with all of his neighbors who expressed support for the fence.*

*There being no public comment, the hearing was closed at 6:14 p.m.*

*The Commission discussed why the variance was needed and whether or not the fence ordinance needs to be revised to address similar circumstances in the future.*

**A motion was made by Commissioner Brett, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 15-99. The motion carried by the following vote:**

**Aye:** 5 - Commissioner Brett; Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

**15283**

**Resolution No. 15-100: Site Plan (with waiver) for Eustis Senior Care Assisted Living Facility Expansion**

*Mr. Schroth announced Resolution No. 15-100: A Resolution of the City Commission of the City of Eustis, Florida; approving a site plan with waivers for the expansion of an existing assisted living facility on 0.72 acres at 228 N. Center Street.*

*Ms. Hester reviewed the proposed site plan and planned expansion. She explained the waiver request as follows: 1) Use suburban landscape buffer requirements instead of urban landscape buffer; and 2) Exemption from the use of non-residential building design so that the new structure will be compatible with the existing structure. She expressed staff's recommendation for approval.*

*Mr. Schroth opened the public hearing at 6:18 p.m. There being no public comment, the hearing was closed at 6:18 p.m.*

*The Commission discussed the existing parking lot that has been utilized by visitors to the senior center with Rick Gierok, Public Works/Utilities Director, explaining the grass lot is budgeted for improvements in the current fiscal year.*

**A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Approve Resolution No. 15-100. The motion carried by the following vote:**

**Aye:** 5 - Commissioner Brett; Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

**15285**

**Resolution No. 102: Approval of IAFF Collective Bargaining Agreement**

*Mr. Schroth announced Resolution No. 15-102: A Resolution by the City Commission of the City of Eustis, Lake County, Florida; approving a modification of Article 11 – Seniority, Article 19 – Sick Leave Accrual, Article 20 – Pay Increases, Article 22 – Sanitation, Maintenance, Upkeep and Clothing Allowance, Article 23 – Health, Life and Dental Insurance, Article 24 – Payment for Temporary Upgrades, Article 27 – Special Event Details and Article 28 – Entire Agreement/Duration of the Collective Bargaining Agreement between the City of Eustis and the International Association of Firefighters (IAFF) for the period of October 1, 2015 through September 30, 2018, as set forth in Exhibit "A" and authorizing the City Manager to sign said agreement.*

*Bill Howe, Human Resources Director, explained the proposed IAFF collective bargaining agreement with changes from the current agreement. He reviewed the major changes citing the three-year term and noted the agreement had already been ratified by the bargaining unit. He then reviewed the associated costs and stated staff's recommendation for approval.*

*Mr. Schroth opened the public hearing at 6:27 p.m. There being no public comment, the hearing was closed at 6:27 p.m.*

**A motion was made by Commissioner Bob, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 15-102. The motion carried by**

the following vote:

**Aye:** 5 - Commissioner Brett; Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

### **FIRST READING**

**15284**

#### Ordinance No. 15-28: Amendment to Chapter 42, Code of Ordinances - Watercraft Rental and Farmers Market Franchise Agreements

*Mr. Schroth read Ordinance No. 15-28 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, amending Chapter 42, Franchises, of the City of Eustis Code of Ordinances, by adding Article VIII and IX, to provide for franchise agreements for watercraft rentals and farmers markets utilizing City-owned park properties; providing for conflict with existing ordinances; providing for codification, severability, and effective date.*

*Ron Neibert, City Manager, explained the proposed amendment to Chapter 42 - Franchises to provide a framework for franchise agreements for watercraft rentals and farmers markets utilizing City-owned park properties. He explained the proposed location for the watercraft rental, affiliated costs to prepare the area and the process for selecting a vendor. He then explained the proposed criteria for farmers markets which would allow markets in all of the City's parks.*

*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 Vice-Mayor LeHeup-Smith, seconded by Commissioner Bob, to Approve Ordinance No. 15-28 on First Reading. The motion carried by the following vote:**

**Aye:** 5 - Commissioner Brett; Commissioner Gnann-Thompson; Vice-Mayor LeHeup-Smith; Commissioner Bob; and Mayor Holland

## **VI. FUTURE AGENDA ITEMS**

*Vice Mayor LeHeup-Smith confirmed that the City Manager had met with the residents concerning the Miss Eustis pageant and he responded an initial meeting had been held with additional meetings planned.*

*Commissioner Bob asked about the status of the repairs to the Commission sound system and when livestreaming would resume with Mary Montez, City Clerk, explaining that the necessary equipment had been ordered and should be installed in the near future and Mr. Neibert noting that the City's property insurance would be covering most of the cost.*

*Commissioner Bob then cited the previous Commission decision regarding the purchase of the 17 E. Magnolia property. She expressed concern regarding the previous approval and acknowledged receipt of an email from the purchaser regarding use of the building. She stated her feelings that the decision was rushed. She commented on rumors circulating regarding the use of the building and expressed concern about the trust of the public. It was noted that the previous decision passed on a 3 to 2 vote.*

*Mr. Neibert stated that the Commission rules allow an item to be brought back on the motion of the Commission to place it back on the agenda for reconsideration. He*

*added that any action would have to be at the next meeting.*

*Commissioner Bob moved to have the decision to purchase 17 E. Magnolia Ave. placed back on the agenda for reconsideration. Commissioner Brett seconded the motion.*

*On a 3 to 2 vote, the motion to reconsider failed with Commissioner Gnann-Thompson, Vice Mayor LeHeup-Smith and Mayor Holland dissenting.*

## **VII. COMMENTS**

### **City Commission**

*Commissioner Bob expressed dismay at the Commission's decision to not reconsider the Magnolia Avenue purchase and sale.*

*Commissioner Brett concurred. He noted that he may not be at the next meeting due to back surgery.*

*Vice Mayor LeHeup-Smith announced that the movie "Minions" would be shown in Ferran Park.*

*Mayor Holland reminded everyone about the First Friday event - Winter Wonderland. He noted presentation of a proclamation recognizing "Smiley" Merry's 100th birthday. He stated that Mr. Merry's daughter has a card at the jewelry shop for the public to sign. He complimented City staff on the Light Up event and the large turnout.*

### **City Manager - None**

### **City Attorney**

*Mr. Schroth noted the City was still in its due diligence period for the property purchase. He stated that, if something should come up unexpectedly, he would inform the Commission.*

### **Mayor**

*Mayor Holland thanked everyone for attending.*

## **VIII. ADJOURNMENT - 6:43 p.m.**

*\*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](http://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.*