



City of Eustis, Florida

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

Meeting Minutes - Final City Commission

Thursday, January 21, 2016

6:00 PM

City Hall

INVOCATION: Rev. Marc Kappell, Faith Lutheran Church

PLEDGE OF ALLEGIANCE: Commissioner Brett

CALL TO ORDER: Mayor Holland - 6:18 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

Ron Neibert, City Manager, reported that the Lifepointe Church had withdrawn its conditional use permit application which was to be considered under Ordinance No. 16-01 so that item would not be considered.

II. APPROVAL OF MINUTES

[16004](#)

January 6, 2016 - 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. PRESENTATIONS

[16006](#)

Proclamation declaring January 27, 2016 as "Read Across Eustis Day"

Mayor Holland announced that four local schools were notified they have won either first, second or third place in a statewide literacy civic service award contest.

Rhonda Hunt, Eustis Heights Elementary (EHES) Principal, introduced some of the project members and explained that it was an all schools project. She explained the project included five students from each school. She stated the group selected the project which is an alphabet book with photos from throughout the community and which is currently being published. She further explained that copies of the books will be provided to local preschools and daycares as well as the elementary schools and

read by ambassadors. She stated it is a statewide contest with monetary awards. She explained the group will meet with the Governor's wife, Ann Scott, at the Florida History Museum and then have lunch and a tour of the capitol.

Michelle Wiseman, Literacy Coach for Eustis Heights Elementary, explained how the photos were compiled with the students working together, selecting the pictures and writing the descriptions for each photo.

Ms. Hunt explained they will find out on January 28th whether they placed first, second or third in the state. She recognized Dr. Moxley, Lake County Schools Superintendent, who will be providing a bus for the students to go to Tallahassee.

Mayor Holland and Commissioner Bob presented a proclamation to Ms. Hunt recognizing January 27, 2016 as "Read Across Eustis Day".

Kay Sawchuck, Eustis Elementary Principal, expressed thanks to the City and invited representatives of the police and fire departments to participate by reading to the students on the 27th.

Mayor Holland announced that EHES would be having their dedication ceremony for the new school on Sunday, January 24, 2016.

IV. AUDIENCE TO BE HEARD - None

V. CONSENT AGENDA

[16009](#) Resolution No. 16-10: Release of Code Enforcement Lien - 1032 East Clifford Avenue

[16003](#) Resolution No. 16-11: Amending Fiscal Year 2015-2016 Budget Recognizing Lease Financing Proceeds

[16008](#) Appointment to Code Enforcement Board - Larry Turnbow

A motion was made by Commissioner Brett, seconded by Vice-Mayor LeHeup-Smith, 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

VI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

[16014](#) Resolution No. 16-12: Cattle Grazing License Agreement with Jonah Vandergriff for the Use of City-Owned Property

Derek Schroth, City Attorney, announced Resolution No. 16-12: A Resolution of the City Commission of the City of Eustis, Florida, authorizing the Mayor to execute a cattle grazing license agreement with Jonah Vandergriff for the use of City-owned property north of County Road 44.

Tom Carrino, Economic Development Director, explained the City previously put out a bid for use of the sprayfield property for cattle grazing. He stated that the runner-up

Jonah Vandergriff approached the City to determine if there was additional property available. The subject property was first offered to the original bid winner who declined. The City asked if Mr. Vandergriff would meet the original high bid price and he agreed. He reviewed the proposed license agreement and cited the following specifics: 1) establishes annual fee of \$2,750 with a 3% annual increase; 2) protects the City by allowing the contract to be cancelled at any time; and 3) prohibits any non-cattle grazing activities. He expressed staff's approval of the resolution and agreement.

Mr. Schroth opened the public hearing at 6:36 p.m. There being no public comment, the hearing was closed at 6:36 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Bob, to Approve Resolution No. 16-12. The motion carried by the following vote:

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

16013

Resolution No. 16-13: Marketing Agreement between Eustis Partners, LLC, Lake Eustis Properties, LLC and the City of Eustis

Mr. Schroth announced Resolution No. 16-13: A Resolution of the City Commission of the City of Eustis, Florida; authorizing the City Manager to execute a Eustis Partners, LLC., Lake Eustis Properties, LLC., and City of Eustis marketing agreement.

Mr. Carrino explained the history of the discussions and the proposed marketing agreement between the City, Eustis Partners LLC and Lake Eustis Properties LLC for the marketing of the three vacant downtown properties. He stated the term of the agreement is for two years but any of the partners can terminate the lease at any time. He noted that representatives of all parties were in attendance and stated staff's recommendation for approval.

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 LeHeup-Smith, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 16-13. 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

16011

Ordinance No. 16-01: Conditional Use Permit for a Metal Building (Accessory Structure) at 3551 East Orange Avenue

Mayor Holland asked if a public hearing needed to be held on the withdrawn ordinance.

Mr. Schroth confirmed the ordinance was withdrawn, not postponed. He opened the public hearing on the withdrawal of the ordinance at 6:47 p.m. There being no public comment, the hearing was closed at 6:47 p.m.

Removed from the Agenda

16010**Ordinance No. 16-02: Conditional Use Permit Modification - Metal Building on Mount Homer Road**

Mr. Schroth read Ordinance No. 16-02 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, modifying a Conditional Use Permit to change the proposed location of a previously approved metal building in a Mixed Commercial/Industrial Land Use District on approximately 0.62 acres south of Mount Homer Road and west of Dillard Road.

Lori Barnes, Development Services Director, explained the proposed modification to the previously approved Conditional Use Permit for Jerry Moye Storage. She reviewed the site specifics and explained the previously approved 260 foot setback would not meet fire code requirements for distances from public right-of-ways without a turnaround which was not a viable alternative. They are requesting the setbacks be reduced to 149.95 feet to meet the fire code requirements. She noted there are a number of existing metal buildings in the surrounding area and showed the proposed new location of the building. She stated it would still be blocked from view from the right-of-way of Dillard, David Walker and Huffstetler by other buildings. She reviewed the proposed landscape plan and expressed staff's recommendation for approval of the setback modification.

The Commission confirmed the fire department approved the modification.

Mr. Schroth opened the public hearing at 6:45 p.m. There being no public comment, the hearing was closed at 6:45 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Approve Ordinance No. 16-02 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

VII. OTHER BUSINESS16012**Possible Revisions to Signage Regulations**

Ms. Barnes explained that the U.S. Supreme Court had issued an opinion in Reed v. Town of Gilbert. She stated that the opinion concludes that if a sign must be read in order to determine if a certain regulation applies, then the regulation is content-based and presumed unconstitutional. She further explained that, as a result of the decision, content specific regulations within the City's sign ordinance are no longer enforceable. She provided a summary of various sections of the sign ordinance that would need to be revised. She asked for direction from the Commission regarding whether or not the sign regulations should be amended. She explained that enforceability and risk to the City are primary the concerns.

The Commission discussed bringing the regulations into compliance with the Supreme Court's decision.

Ms. Barnes explained that when staff brings back the ordinance it will not be a complete sign code rewrite but would primarily address temporary signs and signs that are exempted from permitting requirements.

CONSENSUS: It was a consensus of the Commission for staff to bring back an ordinance to bring the sign regulations into compliance with the Supreme Court decision.

VIII. FUTURE AGENDA ITEMS - None**IX. COMMENTS****City Commission**

Commissioner Brett commented on his successful recovery from his back surgery.

Commissioner Bob commented on her activities since her retirement and noted she will be going to Tallahassee with the students for the literacy program.

Commissioner Gnann-Thompson thanked the police and fire chiefs for their professionalism and hard work. She commented on the coffee with the police department event and a recent experience with taking her Key Club members to the fire department.

Vice Mayor LeHeup-Smith cited the upcoming Lake Eustis Museum of Art (LEMA) dance, the newest artist display at the museum, Family Fun Day January 30th at Palmetto Point Park, and the February 5th First Friday event.

Mayor Holland reported he would be out of town Friday attending a fire expo in Daytona Beach with the City Manager and Fire Chief. He announced the funeral of former Mayor Dandridge would be held Saturday, as well as the memorial service for Dale Carpenter at Bay St. Players. He stated the dedication of Eustis Heights Elementary would be held Sunday, as well as the formal opening of the Gethsemane Baptist Church new facility. He complimented City staff on their service to the community.

City Manager

Mr. Neibert reported on a meeting sponsored by the City that included a large number of community partners that provide services and events to residents. He explained the purpose of the meeting was to inform all of the participants of what else is being offered within the community and help to foster communication and cooperation between the organizations. He indicated he is looking forward to his first Georgefest and the LEMA dance.

City Attorney - None**Mayor**

Mayor Holland announced it was National Hug Day and thanked the audience for their attendance.

X. ADJOURNMENT - 7:02 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 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.