



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 5, 2016

6:00 PM

City Hall

INVOCATION: Rev. Beth Farabee, First United Methodist Church

PLEDGE OF ALLEGIANCE: Commissioner Bob

CALL TO ORDER: Mayor Holland - 6:05 p.m.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

I. AGENDA UPDATE

II. APPROVAL OF MINUTES

[16099](#)

April 21, 2016 - Regular City Commission Meeting

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Gnann-Thompson, for Approved. The motion carried by the following vote:

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

III. PRESENTATIONS

[16083](#)

Proclamation declaring May 15 - 21, 2016 as Police Week in the City of Eustis and May 16, 2016 as Peace Officers Memorial Day

Mayor Holland presented a proclamation to Police Chief Gary Calhoun recognizing National Law Enforcement Week and proclaiming May 16th as Peace Officers Memorial Day in Eustis.

Chief Calhoun commented on the risks to the local police officers and thanked everyone for their support.

IV. AUDIENCE TO BE HEARD

Gail Isaac-Thomas thanked the Water Department for their assistance. She announced that a prayer vigil would be held that evening for the young man that was murdered. She noted he was her cousin and asked for the Commission and

community to keep the family in their prayers.

Pastor Renee Hill expressed concern regarding issues in the community and asked what else their ministry can do to help the community. She stated that on May 28th at 9:30 a.m. W.I.N.1 Ministries would be sponsoring a prayer walk beginning on Wall Street and ending at the Palmetto Plaza pavilion. She added that refreshments would be served following the walk. She asked for members of the City to participate. She stated she would be sending letters to the Commission listing additional activities they would be planning.

Darius Kerrison announced that a live comedy show would be held Friday, May 13th at the Eustis Community Building. He expressed thanks to the community for their support.

Bill Gay assured everyone they have the community's prayers and expressed support for the upcoming prayer walk. He thanked the City for the recent Music Festival. He encouraged everyone to volunteer to help the City and the Chamber and expressed his willingness to assist.

V. CONSENT AGENDA

The Commission confirmed the resident for Resolution No. 16-42 was not present.

[16086](#)

Resolution No. 16-34: Purchase in Excess of \$50,000 for an Air Curtain Incinerator

[16089](#)

Resolution No. 16-37: Bid Award for the Haselton WTP Electrical Improvements

[16097](#)

Resolution No. 16-41: Foreclosure Authorization, 2024 Dixie Avenue - Code Enforcement Case #11-00088

[16090](#)

Resolution No. 16-42: Legal Action Authorization, 521 West Seminole Avenue - Code Enforcement Case #10-00202

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

VI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

[16096](#)

Resolution No. 16-38: Approval of an Interlocal Agreement with the City of Umatilla regarding Code Enforcement Services

Derek Schroth, City Attorney, announced Resolution No. 16-38: A Resolution of the City Commission of the City of Eustis, Lake County, Florida, authorizing the Mayor to execute the interlocal agreement between the City of Eustis and the City of Umatilla for the provision of code enforcement services.

Bill Howe, Human Resources Director, explained the proposed interlocal agreement which would provide for the City of Umatilla to reimburse the City for half the costs of

a Code Enforcement Officer with the officer to provide 20 hours of service per week to Umatilla and 20 hours per week to the City. He noted the code enforcement inspector position had previously been removed from the budget. He reviewed the basic provisions of the agreement.

Mr. Schroth opened the public hearing at 6:24 p.m.

Peter Tarbee, Umatilla Council President, expressed support for the agreement and for the cities working together. He noted that the Umatilla City Council had already adopted the agreement.

There being no further public comment, the hearing was closed at 6:25 p.m.

A motion was made by Commissioner Brett, seconded by Commissioner Bob, to Approve Resolution No. 16-38. The motion carried by the following vote:

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

16087

Resolution No. 16-39: Amending Fiscal Year 2015-16 Budget for Revenues Received

Mr. Schroth announced Resolution No. 16-39: A Resolution of the City Commission of the City of Eustis, Lake County, Florida, amending the FY2015-2016 General Fund Budget to reflect mid-year revenue adjustments based on actual revenue receipts.

Colleen Scott, Finance Director, reviewed the proposed budget amendment to reflect increased and additional revenues based on actual receipts. She cited the following additional or increased revenues: 1) Sale of property - \$184,000; 2) Sale of capital assets - \$60,000; 3) Cell tower signing bonus - \$75,000; and 4) Additional construction permit revenue - \$140,000.

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 Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Approve Resolution No. 16-39. The motion carried by the following vote:

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

16091

Resolution No. 16-40: Urging the Florida Fish and Wildlife Conservation Commission to Reinstate the Statewide Prohibition on Bear Hunting

Mr. Schroth announced Resolution No. 16-40: A Resolution of the City Commission of the City of Eustis, Florida, urging the Florida Fish and Wildlife Conservation Commission to reinstate the prohibition on bear hunting throughout the State of Florida and focus more attention on removing conflicts between bears and suburban areas through deterrent techniques.

Ron Neibert, City Manager, explained the resolution was drafted at the direction of the Commission based on the request at the previous meeting.

Mr. Schroth opened the public hearing at 6:28 p.m.

Jill Rozlick and Hope Lamb expressed support for the resolution and thanked the

Commission for their action.

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

A motion was made by Commissioner Brett, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 16-40. The motion carried by the following vote:

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

16098

Resolution No. 16-44: Authorizing a Budget Adjustment to Establish and Fund a Fire Inspector, Building Inspector and Recreation Specialist

Mr. Schroth announced Resolution No. 16-44: A Resolution of the City Commission of the City of Eustis, Lake County, Florida, authorizing a budget adjustment to establish and fund a fire inspector, building inspector and a recreation specialist.

Bill Howe, Human Resources Director, explained the need for each of the three new positions and the proposed funding sources.

Mr. Schroth opened the public hearing at 6:34 p.m. There being no public comment, the hearing was closed at 6:34 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Brett, to Approve Resolution No. 16-44. The motion carried by the following vote:

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

SECOND READING

16082

Ordinance No. 16-10: Adopting the Water, Wastewater and Reclaimed Water Rate Adjustment

Mr. Schroth read Ordinance No. 16-10 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; deleting and replacing, in their entirety, Sections 94-193.1(a) and 94-216(d) and 94-251(e) of the Code of Ordinances for the City of Eustis; repealing any and all other conflicting ordinances; providing for severability; codification; and effective date; and publication according to law.

Mr. Schroth opened the public hearing at 6:35 p.m. There being no public comment, the hearing was closed at 6:35 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Bob, to Adopt Ordinance No. 16-10 on second reading. The motion carried by the following vote:

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

16077

Ordinance No. 16-11: Conditional Use Permit for a Metal Building-AeroDoor International

Mr. Schroth read Ordinance No. 16-11 by title on second and final reading: An

Ordinance of the City Commission of the City of Eustis, Lake County, Florida; approving a Conditional Use Permit for a metal building in a Mixed Commercial/Industrial (MCI) Land Use District on approximately 1.9 acres located at 2770 Dillard Road.

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 Adopt Ordinance No. 16-11 on second reading. The motion carried by the following vote:

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

FIRST READING

16093

Ordinance No. 16-12: Amendments to Chapter 82, City of Eustis Code of Ordinances

Mr. Schroth read Ordinance No. 16-12 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida; repealing and replacing Articles I through V, Chapter 82, Eustis Code of Ordinances, adding a new Article IV, Enforcement, and renumbering subsequent articles accordingly; providing for conflict with existing ordinances, and providing for codification, severability and an effective date.

Lori Barnes, Development Services Director, reviewed the proposed changes to Chapter 82 pertaining to sidewalks. She noted that the current code was adopted in 1959 so it contains a lot of antiquated language and does not conform to current practices. She noted the old code includes charging adjoining property owners for sidewalk repairs. She stated staff worked with Public Services to make sure the proposed amendments conform to current practice. She reviewed other clarifications to the chapter and explained the advantages to adopting the proposed amendments.

Mr. Schroth opened the public hearing at 6:43 p.m. There being no public comment, the hearing was closed at 6:43 p.m.

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

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

16094

Ordinance No. 16-13: Amendment to Chapter 102 of the Land Development Regulations

Mr. Schroth read Ordinance No. 16-13 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; replacing Chapter 102 of the Land Development Regulations in its entirety; providing for codification and an effective date.

Ms. Barnes reviewed the proposed changes to Chapter 102 of the Land Development Regulations regarding the streamlining of the review process for certain site plans. She noted that additional changes to the chapter were identified during the review and incorporated into the ordinance. She summarized the advantages to adopting the proposed amendments.

Mr. Schroth opened the public hearing at 6:51 p.m. There being no public comment, the hearing was closed at 6:51 p.m.

A motion was made by Commissioner Brett, seconded by Vice-Mayor LeHeup-Smith, to Approve Ordinance No. 16-13 on First Reading. The motion carried by the following vote:

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

16084

Ordinance No. 16-14: Amending Article III, Article IX and Article X of the City Charter

Mr. Schroth read Ordinance No. 16-14 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; providing for amendment of the City Charter; amending Article III, Section 3 – Qualifications of Candidates; Section 9 – Filling of Vacancies; and Section 10(a) – Meetings; amending Article IX – Elections-Recalls, Section 2 – Arrangement for Municipal Elections, Appointment of Inspectors and Clerks; and Section 3 – Canvass of Returns; Amending Article X, Section 7 – Road District, Taxation; providing requisite ballot language for submission to electors; providing for severability; providing for inclusion in the Charter; providing for conflict; providing for an effective date.

Mr. Neibert stated the changes contained in the ordinance are as discussed during the various Commission workshops and include the required ballot wording for the referendum on the charter. He noted the additional cost to the City for the ballot additions.

Mr. Schroth opened the public hearing at 6:53 p.m. There being no public comment, the hearing was closed at 6:53 p.m.

A motion was made by Vice-Mayor LeHeup-Smith, seconded by Commissioner Gnann-Thompson, to Approve Ordinance No. 16-14 on First Reading. The motion carried by the following vote:

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

16088

Ordinance No. 16-15: Inclusion of the City within the County MSTU for Ambulance and Emergency Medical Services

Mr. Schroth read Ordinance No. 16-15 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 Statutes 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.

Mike Swanson, Fire Chief, noted the only change in the ordinance from the previous year was changing the term from one year to two years. He noted that he is part of the study currently being undertaken by Lake EMS. He stated the MSTU provides approximately \$70,000 in additional funding for the ALS program as well as provides equipment and supplies.

Mayor Holland noted he also sits on the Board of Directors for Lake EMS and concurred with the two year term.

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

A motion was made by Commissioner Bob, seconded by Commissioner Brett, to Approve Ordinance No. 16-15 on First Reading. The motion carried by the following vote:

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

VII. OTHER BUSINESS

16092

Discussion Regarding Trap, Neuter, Release Program

Mr. Neibert explained that at the previous Commission meeting the City was challenged by Mount Dora Councilmember Marie Rich to participate in the trap, neuter, release program.

Marie Rich brought forward six Eustis residents in support of the program. She commented on volunteer efforts for the program and upcoming fund raising activities. She noted local merchants in Mount Dora that have donation jars in their stores. She cited statistics on the reduction in cats at animal control due to the program.

Whitney Luckhart explained additional costs to care for the animals that are covered by her organization. She stated the funds provided by the cities only covers the bare minimum.

Ms. Rich noted a recent donation which provided funding to purchase wand readers for both Mount Dora and Eustis to read microchips.

CONSENSUS: It was a consensus of the Commission for the City to participate and provide \$5,000 funding with Vice Mayor LeHeup-Smith noting there are volunteers already signed up within the City.

VIII. FUTURE AGENDA ITEMS

Commissioner Bob asked if the City needs to adopt policies regarding the use of drones. She also asked about the possibility of installing cameras on lightpoles in the City. She asked for an updated inventory of the excess City properties.

IX. COMMENTS

City Commission

Commissioner Bob commented on her retirement activities and cited a current television program on CNN regarding the KKK and racism in today's society. She further commented on practices that are passed down through the generations that are detrimental to society. She encouraged everyone to seek God in their lives.

Commissioner Gnann-Thompson announced the May First Friday event and the Golden Triangle Relay for Life to be held in Ferran Park.

Commissioner Brett announced that he was moving into his new home and that his last day as a City Commissioner would be May 20th.

Vice Mayor LeHeup-Smith noted the number of upcoming events and encouraged everyone to visit the downtown.

Mayor Holland thanked City staff and Nan and Jerry Cobb for their efforts to make the Kiwanis Touch A Truck event a success. He reported on the planting of the trees for the Arbor Day event noting Commissioner Bob's attendance and the efforts of the Public Works employees. He announced the upcoming Busker's Festival and explained how the community could vote for their favorite performers.

City Manager

Mr. Neibert announced that he had just celebrated his one year employment anniversary with the City and stated his pleasure in working with the Commission, staff and community.

City Attorney - None

Mayor

Mayor Holland complimented City staff on their efforts. He announced it was the National Day of Prayer and encouraged everyone to pray for their community.

X. ADJOURNMENT - 7:16 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.