



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 4, 2018

6:00 PM

City Hall

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

PLEDGE OF ALLEGIANCE: Commissioner Bob

CALL TO ORDER: Mayor Morin - 6:03 p.m.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

Present: 7 - Commissioner Linda Bob; Commissioner Carla Gnann-Thompson; Commissioner Anthony Sabatini; Vice-Mayor Marie Aliberti; Vice-Mayor Marie Aliberti; Mayor Robert Morin; and Mayor Robert Morin

I. AGENDA UPDATE

II. RETIRING MAYOR'S MESSAGE FOR 2017

[18-0005](#)

Retiring Mayor's Message for 2017

Mayor Morin presented his State of the City address and slide presentation. He commented on the number of achievements during the year and cited the work done by the Commission, City Manager, City staff and all those that represent the City. He noted the growth on the north side of Hwy. 441 and emphasized that area is a part of Eustis. He acknowledged Jose Villafana in the audience noting that the Wolfbranch Brewery had opened approximately 2.5 weeks prior. He highlighted new businesses and upcoming projects citing the Ella Marie Pizzeria & Sub Shop, the Cobb Commerce Park on County Road 44 and the Lakeview Avenue reconstruction. He recognized Daniel DiVenanzo who received the Entrepreneur Award from the Chamber of Commerce and noted his comments about the importance of family. He commented on the number of local businesses that are multi-generational. He stated his and his family's joy in living in Eustis and their pride in representing the City. He noted positive feedback they have received from many visitors to the City. He highlighted various upcoming events noting the new Golden Triangle Jazz Festival being added to the GeorgeFest celebration. He reviewed a list of Mayoral duties and responsibilities and cited various boards and committees that the Mayor sits on. He concluded with a review of upcoming workshops and proposals including the proposed addition of two community members to the Community Redevelopment Agency. He also stated his desire to have the City's public notices and legal notices posted to the City's website.

III. PRESENTATION OF PLAQUE TO RETIRING MAYOR MORIN

Ron Neibert, City Manager, recognized Mayor Morin for his service as the 2017 Mayor and presented him with a gavel plaque.

IV. APPOINTMENT OF CITY CLERK AS TEMPORARY CHAIRMAN

Mayor Morin turned the meeting over to Mary Montez, City Clerk, for the election of the 2018 Mayor.

V. ELECTION OF MAYOR

18-0008

Election of Mayor and Vice Mayor

Ms. Montez explained the process to be used for the election of Mayor and Vice Mayor. She then opened the floor to nominations for Mayor.

Commissioner Bob stated for the record that she did not wish to be nominated for either Mayor or Vice Mayor.

Commissioner Aliberti nominated Commissioner Morin as Mayor.

Commissioner Bob nominated Commissioner Aliberti as Mayor.

There appearing to be no further nominations forthcoming, Ms. Montez asked for a motion to close the nominations.

Commissioner Gnann-Thompson moved to close the nominations. Commissioner Sabatini seconded the motion. On a voice vote, the motion to close the nominations passed unanimously.

Ms. Montez conducted a roll call vote on Nomination #1 for Commissioner Morin as Mayor:

On an alphabetical roll call vote, the nomination of Robert Morin as Mayor passed on a 3 to 2 vote with Commissioners Bob and Sabatini dissenting.

VI. ELECTION OF VICE MAYOR

Mayor Morin opened the floor to nominations for Vice Mayor.

Commissioner Bob nominated Commissioner Gnann-Thompson who declined the nomination with thanks.

Mayor Morin nominated Commissioner Aliberti as Vice Mayor.

There appearing to be no further nominations forthcoming, Mayor Morin asked for a motion to close the nominations.

Commissioner Gnann-Thompson moved to close the nominations. Commissioner Aliberti seconded the motion.

On a voice vote, the motion to close the nominations passed unanimously.

On a roll call vote, the nomination for Commissioner Aliberti as Vice Mayor passed 4 to 1 with Commissioner Sabatini dissenting.

VII. SEATING OF MAYOR AND VICE MAYOR**VIII. APPROVAL OF MINUTES****18-0001**

December 7, 2017 - Regular City Commission Meeting

A motion was made by Commissioner Sabatini, seconded by Commissioner Gnann-Thompson, that the Minutes be Approved. On a voice vote, the motion passed unanimously.

IX. AUDIENCE TO BE HEARD

Cristine Cruz addressed the Commission regarding Clean Up Eustis and their activities.

Jose Villafana, Wolfbranch Brewery, expressed support for the proposed extension of the days and hours for outside alcohol consumption in the Entertainment District.

Tom Carrino, Economic Development Director, provided an overview of upcoming City events noting the cancellation of the First Friday event due to the cold temperatures.

X. CONSENT AGENDA**16500**

Adoption of Commission Schedule for 2018

A motion was made by Commissioner Bob, seconded by Commissioner Gnann-Thompson, that the Consent Agenda be Approved. On a voice vote, the motion passed unanimously.

XI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS**18-0002**

Resolution No. 18-01: Appointing Commissioners and Staff to Various Committees and Boards of Directors

Derek Schroth, City Attorney, announced Resolution No. 18-01: A Resolution by the City Commission of the City of Eustis, Lake County Florida; to appoint liaisons, directors/members and alternate directors/members to various committees and boards of directors to ensure that the City's interests, as expressed through the City Commission, are represented on these various committees and boards of directors.

Ms. Montez reported that the appointment to the Lake Sumter MPO was for either four years or until the appointee's term on the Commission ended or until they no longer wanted to serve. She also indicated that the Finance Director was traditionally appointed as the City's liaison to the Police and Fire Pension Boards. She asked if the Commission wanted to discuss each board/committee individually.

The Commission discussed who wanted to be appointed to the various boards and committees with a consensus to leave all appointments as is.

Mr. Neibert announced that there would not be an appointment needed to the Chamber

of Commerce Board of Directors as they had changed their bylaws to state the City Manager or his designee would represent the City. He indicated that the resolution would be amended to omit that appointment.

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 Gnann-Thompson, seconded by Commissioner Sabatini, to Approved Resolution No. 18-01 with all of the same appointees as for 2017, other than the Chamber of Commerce. The motion carried by the following vote:

Aye: 5 - Commissioner Bob; Commissioner Gnann-Thompson; Commissioner Sabatini; Vice-Mayor Aliberti; and Mayor Morin

SECOND READING

16496

Ordinance No. 17-20: Reducing the Price Threshold for Items Brought to Commission

Mr. Schroth read Ordinance No. 17-20 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, Chapter 2, Article VI, Division 2 procurement procedures of the Code of Ordinances for the City of Eustis; repealing any and all other conflicting ordinances; providing for severability; inclusion in the Code of Ordinances; an effective date; and publication according to law.

Mr. Schroth opened the public hearing at 6:33 p.m. There being no public comment, the hearing was closed at 6:33 p.m.

A motion was made by Commissioner Sabatini, seconded by Vice-Mayor Aliberti, to Adopt Ordinance No. 17-20 on second reading. The motion carried by the following vote:

Aye: 5 - Commissioner Bob; Commissioner Gnann-Thompson; Commissioner Sabatini; Vice-Mayor Aliberti; and Mayor Morin

XII. OTHER BUSINESS

18-0003

Discussion regarding Golf Cart and Low Speed Vehicle (LSV) use within the Downtown/Entertainment District

Shane McSheehy, Police Captain, reviewed the report on the use of golf carts and low speed vehicles on City streets and state roads.

The Commission questioned what the cost would be to implement with Capt. McSheehy explained that it is difficult to determine. He noted that to cross a state road creates complications and indicated that the downtown area is bordered by two state roads. He stated the best procedure would probably be to identify a specific location and then approach FDOT. He noted that Leesburg spent \$3500 on a traffic study. He stated the study would then be submitted to FDOT for their review and approval.

Mr. Neibert explained that the state has certain thresholds. He cited the various thresholds FDOT has in place and recommended that staff conduct some traffic

counts and see how they compare to the state's thresholds.

Commissioner Sabatini commented on his belief that the City should have a walkable, fun downtown. He cited the other area cities that allow golf carts. He stated that if there is a safe route into the downtown then he would be in favor of it; however, if it comes back as too expensive or dangerous, then he would not.

Commissioner Gnann-Thompson commented on the possible strain on the police department.

Commissioner Bob expressed concern regarding the speed of traffic on Bay Street and Orange Avenue. She indicated she didn't have a problem within residential developments but had concern about golf carts being downtown noting that they would have to cross those heavy traffic roads to get there.

CONSENSUS: It was a consensus of the Commission for staff to conduct some traffic counts and bring back that information along with a possible route.

18-0004

Discussion regarding Panhandling and associated Laws and Ordinances

Gary Winheim, Police Captain, presented the report on the Orlando panhandling ordinance.

Commissioner Sabatini expressed support for adopting an ordinance similar to Orlando's stating that it would be preventive so that if a problem arises the Police Department already has the tool set available to address the problem. He cited the increase in transients and panhandling within the City.

Mr. Neibert stated his understanding that Orlando previously had a more stringent ordinance in place but had to revise it to meet some constitutional issues. He suggested that staff draft a similar ordinance and bring it back for first reading.

Commissioner Gnann-Thompson stated she had researched the issue since it was last brought up and noted that she spoke with the Golden Corral manager who indicated that at closing time they have a number of people begging for food. She asked Capt. Winheim if the City has a problem.

Capt. Winheim stated the City does have transients and a panhandling issue but about the same as surrounding cities.

Mayor Morin cited the work of the Mid-Florida Homeless Coalition. He noted that the majority of the homeless he has met locally are veterans. He recommended having homeless organizations reach out to the transients in the area and try to assist them rather than implementing new regulations. He expressed support for obtaining a count of the number of homeless individuals within the City.

Commissioner Sabatini recommended the rest of the Commission speak to the downtown business owners for their input. He noted he put something on the Word of Mouth facebook page to get comments. He expressed support for having an ordinance against aggressive panhandling not the passive panhandling. He cited the open alcohol containers on the Lakewalk and the scent of marijuana.

Commissioner Gnann-Thompson commented on the need for staff to research the issue and for the City to work together with all of the organizations. She cited an issue

she had on Christmas day with a drunk homeless man who was going door to door asking for money.

Mr. Neibert suggest that staff prepare a draft ordinance with a report on how it would be implemented.

Commissioner Sabatini stated he did not see the ordinance as a solution to homelessness but as a backstop against certain aggressive activities. He agreed with the need to address the homeless problem.

Commissioner Bob expressed support for the ordinance and cited the need to look at all of the social issues such as improving the schools.

Vice Mayor Aliberti confirmed that the City does not currently have any kind of panhandling ordinance with Capt. Winheim explaining Orlando changed their ordinance to focus on aggressive panhandling. He confirmed that a violation would be a criminal offense.

Dan Kelsey, Kelsey Lube and Car Wash, 1015 N. Bay Street, commented on the number of transients who get free housing for several days at the motel near him. He cited the number of homeless people living in the wooded area near his business and the mess they leave behind. He commented on the number of people that pull out of the Dollar General due to a group of homeless people blocking the entrance.

CONSENSUS: It was a consensus of the Commission for staff to bring back an ordinance for consideration.

18-0006

Review of Entertainment District Rules for Outside Consumption of Alcohol

Tom Carrino, Economic Development Director, reviewed the existing rules governing the downtown Entertainment District and explained how it was developed. He stated that it may be appropriate to look at increasing the number of days in light of the increased number of downtown businesses and the increased number of events. He stated that to-date the Entertainment District has not created a significant problem with the open alcohol consumption.

Commissioner Sabatini commented on the success of the initial number of days for the Entertainment District and expressed support for expanding to six days per week, leaving out Sunday.

Mr. Carrino presented a map of the district pointing out the boundaries of the district.

Vice Mayor Aliberti expressed support for expanding the number of days for outdoor consumption.

Mr. Carrino indicated that, currently, Sunday can only be included, with the approval of the Commission for City sponsored events.

Commissioner Bob asked if staff has researched what other cities are doing with other Commissioners indicating that the City of Tavares allows outdoor consumption for all seven days.

CONSENSUS: It was a consensus of the Commission for staff to bring back an ordinance changing the number of days to seven and to provide additional information

regarding what other cities are doing.

18-0009

Fiscal Year 2018-19 Budget Calendar and Commission Workshop Schedule

Rob Visser, Assistant Finance Director, presented the draft FY2018-19 budget preparation schedule. He cited the key dates pertaining to the Commission as follows: 1) April 5 - Preliminary budget workshop; 2) May 3 - Capital Improvement Project workshop; 3) July 5 - Draft budget workshop with department budget presentations; 4) July 19 - Approval of the CIP Plan; 5) September 6 - Adoption of preliminary budget; and 6) September 20 - Adoption of final budget.

Mr. Neibert explained the Commission will be involved with more detail during the early budget workshops including additional department information.

The Commission discussed having more input into the department budgets, holding earlier workshops prior to preparation of the draft budget, the Commission receiving all of the preliminary information that is traditionally provided to the City Manager and department heads and the desire of the Commission to be able to present programmatic ideas for possible inclusion into the budget.

CONSENSUS: It was a consensus of the Commission to hold a workshop in February to allow the Commission to discuss program ideas.

Mr. Neibert noted that the Capital Improvement Plan is a five-year plan. He explained that when the Commission and staff review it each year, the purpose isn't to review those items already in, it's to consider what to incorporate in year six. He emphasized the need to not re-address those projects already included in the CIP as funding will have already been expended on preliminary work for those projects.

XIII. FUTURE AGENDA ITEMS

Commissioner Gnann-Thompson asked for a status report on the Teems LLC agreement.

Mr. Neibert responded that they have not met the deadline for improvements to the building. He stated that the next payment is due January 8th. He indicated that he would have an item on the next agenda for direction on how to proceed.

The Commission discussed the various options and ramifications with Mr. Schroth indicating he would provide the appropriate wording to the City Manager in the event that the Teems submit the 2018 mortgage payment.

Vice Mayor Aliberti expressed concern regarding the number of vacant buildings in the downtown area.

Commissioner Sabatini stated that there are other places that levee taxes on vacant property.

Mr. Neibert expressed concern about telling a property owner how to use their building as long as it meets the designated land use and is in safe condition.

Vice Mayor Aliberti noted that some cities have requirements for fire inspections if a building is vacant for a certain amount of time.

Mr. Neibert proposed utilizing CRA funds to incentivize the renovation of vacant buildings. He indicated he would be presenting a proposal as part of the upcoming workshop.

Following further discussion, Mr. Schroth indicated he would research the issue and provide a report.

Commissioner Sabatini stated his desire to have the CRA Board meet more often. He suggested they meet once per month prior to the regular Commission meeting. He also recommended appointing a separate CRA entity.

Mr. Neibert responded that currently the City holds CRA community meetings each year and staff is currently in the middle of a CRA survey. He explained that the CRA Board is strictly an advisory board to the Commission with any legislative action being done by the Commission. He noted that anyone sitting on the CRA Board would not be able to benefit from any CRA programs due to there being a conflict of interest. He added that 93% of the CRA's in Florida are made up of the elected officials, not private members. He indicated that the Commission may want to consider adding some community representatives to the Board.

Commissioner Bob commented on the need for the CRA to focus on the truly blighted areas not just downtown.

Following further discussion, Mr. Neibert indicated he would add discussion on the expansion of the CRA to the January 25th workshop agenda.

MOTION

Commission Sabatini moved that going forward the CRA Board meet at least once per month for at least 30 minutes and that an overview of the budget expenditures and future and projected expenditures be provided. Commissioner Gnann-Thompson seconded the motion.

Mr. Neibert suggested that those be held prior to the second meeting of each month.

On a voice vote, the motion passed unanimously.

Commissioner Bob asked when the Lake Community Action Agency building would be painted with Mr. Neibert indicating he would have to check on it and noting that they just repaired the roof on the building.

Commission Sabatini suggested that the Commissioners volunteer to paint the building.

XIV. COMMENTS

City Commission

Vice Mayor Aliberti announced the Tedex event being held in the City on Friday at the Bay Street Theater.

City Manager

Mr. Neibert announced that the police and fire bargaining unit contracts would be expiring and he would be scheduling strategic sessions for discussing bargaining

strategies. He confirmed those would be held in closed sessions.

City Attorney - None

Mayor

Mayor Morin thanked everyone and stated he was looking forward to a second year as Mayor.

XV. ADJOURNMENT - 7:47 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.