



City of Eustis, Florida

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

Meeting Minutes - Final City Commission

Thursday, June 7, 2018

6:00 PM

City Hall

INVOCATION: Chaplain John Schneck, Eustis Fire Dept.

PLEDGE OF ALLEGIANCE: Commissioner Gnann-Thompson

CALL TO ORDER: Mayor Morin - 6:02 p.m.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

Present: 5 - Commissioner Carla Gnann-Thompson; Commissioner Michael Holland; Vice-Mayor Marie Aliberti; Commissioner Linda Bob; and Mayor Robert Morin

I. AGENDA UPDATE - None

II. PRESENTATIONS

18-0140

Review of Eustis First Friday Event

Erin Bailey, Events Coordinator, provided a report on the First Friday street party events including goals, vendors, and public survey results.

The Commission thanked Ms. Bailey for various items added to the events. They confirmed the prices for vendors and asked if fees are waived for school organizations.

Ms. Bailey explained they are waived during the Eustis Spirit event. She added that they also allow some organizations to assist with events in lieu of paying fees.

The Commission expressed support for expanding advertising into Seminole County and for increasing the events advertising budget.

III. AUDIENCE TO BE HEARD - None

IV. APPOINTMENT

18-0136

Appointment to Police Pension Board of Trustees - Gary Winheim

A motion was made by Commissioner Holland, seconded by Commissioner Gnann-Thompson, that Gary Winheim be appointed to the Police Pension Board of Trustees. On a voice vote, the motion passed unanimously.

V. CONSENT AGENDA

[18-0133](#)

Resolution No. 18-41: Approval of purchase in excess of \$25,000 for Computers

A motion was made by Commissioner Holland, seconded by Commissioner Gnann-Thompson, to Approve the Consent Agenda. The motion carried by the following vote:

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

VI. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

[18-0134](#)

Resolution No. 18-38: Vacation of Multiple Right-of-Ways in the Badger Division and Pendryville

Derek Schroth, City Attorney, announced Resolution No. 18-38: A Resolution of the City Commission of the City of Eustis, Florida; authorizing the vacation and abandonment of Schultz Street, Citrus Avenue, Smith Street, Titcomb Street, and Morin Street north of Lakeshore Drive; Smith Street between Pineapple Avenue and Lakeshore Drive; Pineapple Avenue between the CSX Rail property and Lakeview Park Subdivision; Titcomb Street from Pineapple Avenue southerly to the CSX Rail property; West Lemon Avenue between the CSX Rail property and the west line of Titcomb; and the alley bisecting Block 23, Map of Pendryville, as more particularly described and depicted on Exhibit A, attached hereto, in accordance with Ordinance No. 12-08.

Lori Barnes, Development Services Director, reviewed the proposed City initiated right-of-way vacations explaining the right of ways no longer serve a public purpose and some are actually built on. She stated the roads are already labeled as closed on the Lake County GIS map. She announced that the resolution in the packet had to be amended to add an easement for TECO People's Gas lines. She explained the property vacated will be divided equally among the adjoining property owners. She stated staff's recommendation for approval.

The Commission questioned why didn't staff wait to do the vacations until the City property was sold with Ms. Barnes explaining it could create title issues if not done prior to the development.

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

A motion was made by Commissioner Holland, seconded by Vice-Mayor Aliberti, to Approve Resolution No. 18-38. The motion carried by the following vote:

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

[18-0138](#)

Resolution No. 18-39: Purchase and Sale Agreement for City-Owned Property Adjacent to the Lake Eustis Marina

Mr. Schroth announced Resolution No. 18-39: A Resolution of the City Commission of the City of Eustis, Florida, authorizing the City Manager to execute a purchase and

sale agreement with Lake Investment Ventures, LLC, for the sale and purchase of property including the westerly portion of property Alternate Key Number 1191190 and the City's interest in right-of-way vacated by Resolution No. 18-38.

Ms. Barnes reviewed the proposed purchase and sale agreement for the City-owned property adjoining the Lake Eustis Marina. She stated the proposed purchase price is \$20,000 with a \$1,000 deposit within three days of the resolution's approval. She stated there is no development potential or practical use or value for the property other than for whomever owns the marina property. She stated staff's recommendation for approval.

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 Commissioner Holland, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 18-39. The motion carried by the following vote:

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

18-0141

Resolution No. 18-40: Adopting City Emergency Management Plan

Mr. Schroth announced Resolution No. 18-40: A Resolution of the City Commission of the City of Eustis, Lake County, Florida; approving and adopting the City of Eustis Emergency Management Plan and directing the City Manager to keep such plan current with federal and state law and regulations and in accord with the Lake County Emergency Management Plan.

Fire Chief Mike Swanson explained how the plan was reviewed and revised with the cooperation of all the departments. He thanked Library Director Ann Ivey for her assistance. He then explained how the plan integrates with the County and State systems.

Mr. Schroth opened the public hearing at 6:42 p.m. There being no public comment, the hearing was closed at 6:42 p.m.

The Commission questioned their role in an emergency with Chief Swanson explaining their actions occur prior to implementation of the plan with the declaration of the state of emergency.

A motion was made by Commissioner Holland, seconded by Commissioner Gnann-Thompson, to Approve Resolution No. 18-40. The motion carried by the following vote:

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

SECOND READING

18-0114

Ordinance No. 18-11: Small Scale Future Land Use Map Amendment to the Comprehensive Plan (2018-CPLUS-03) - 16301 McKinley Road

Mr. Schroth read Ordinance No. 18-11 by title on second and final 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 7.6 acres of real property located at 16301 McKinley Road from Eustis General Commercial (GC) to General Industrial (GI) in the City of Eustis.

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 Commissioner Holland, seconded by Vice-Mayor Aliberti, to Adopt Ordinance No. 18-11 on second reading. The motion carried by the following vote:

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

18-0112

Ordinance No. 18-12: Amending the City Charter and providing for placement on the November General Election Ballot

Mr. Schroth read Ordinance No. 18-12 by title on second and final 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; amending Article III, Section 6 – Election and Terms; 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. Schroth opened the public hearing at 6:46 p.m. There being no public comment, the hearing was closed at 6:46 p.m.

The Commission discussed whether or not to include the term limits with Mr. Schroth explaining that if they wanted to remove the term limits they would move to approve the ordinance on second reading with the removal of the term limits language.

A motion was made by Vice-Mayor Aliberti, seconded by Commissioner Gnann-Thompson, to Adopt Ordinance No. 18-12 on second reading with the elimination of the language relating to term limits. The motion carried by the following vote:

Aye: 4 - Commissioner Gnann-Thompson; Commissioner Holland; Vice-Mayor Aliberti; and Mayor Morin

Nay: 1 - Commissioner Bob

18-0111

Ordinance No. 18-13: Including the City within the Countywide MSTU for Ambulance and Emergency Medical Services

Mr. Schroth read Ordinance No. 18-13 by title on second and final 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.

Mr. Schroth opened the public hearing at 6:52 p.m. There being no public comment, the hearing was closed at 6:52 p.m.

A motion was made by Commissioner Holland, seconded by Commissioner Gnann-Thompson, to Adopt Ordinance No. 18-13 on second reading. The motion carried by the following vote:

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

FIRST READING

18-0135

Ordinance No. 18-14: Amendments to Chapter 94 (Utilities) of the Eustis Code of Ordinances

Mr. Schroth read Ordinance No. 18-14 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida; amending Sections 94-1 Definitions, 94-6 Unauthorized Taps, 94-47 Enforcement Board, 94-48 Penalties and Charges, 94-56 Private Septic Tanks, 94-287 Eligibility Criteria and Conditions (Impact Fee Financing), 94-288 Financing Terms, 94-318 Charge Required, 94-353 Charge Levied, deleting section 94-50 Publication, and adding Division II, Illicit Discharge under Article III. Stormwater Utility; providing for renumbering subsequent sections accordingly; providing for conflict with existing ordinances, and providing for codification, severability and an effective date.

Ms. Barnes presented the proposed changes to Chapter 94 pertaining to utilities. She explained the initial change was prompted by the request of a resident to allowing the financing of impact fees lower than \$20,000. She further explained that whenever a chapter is revised staff reviews the chapter for any additional changes that need to be made. She then identified the amendments as follows: 1) Amended impact fee sections to permit impact fee financing for any amount provided the property owner meets HUD income limits for low-income household; 2) Added Division II – Illicit Discharge under the Stormwater Utility Section as required by the FDEP prior to renewal of the City's NPDES permit; and 3) Clarified and updated language to reflect current administrative practices.

The Commission questioned if the financing of the impact fees would be added to their monthly utility bill with Ms. Barnes explaining they would be billed separately on a monthly basis. The Commission then discussed the other costs involved with connecting to City utilities and possibly offering financing to others that may not be economically disadvantaged.

Ms. Barnes stated that the agreement they sign is clear that if they do not pay their property can be liened and their utilities may be disconnected.

Following further discussion regarding whether or not the utility bill and financing of impact fees could be combined on one bill, Mr. Schroth opened the public hearing at 7:13 p.m.

George Asbate stated that if the City doesn't finance it, then they will find financing elsewhere. He added paying the impact fee would be less than replacing a drain field and septic tank.

There being no further public comment, the hearing was closed at 7:14 p.m.

The Commission further discussed whether or not the financing charge could be added to the utility bill with staff explaining the software could not handle adding that to the

bill. It was noted that the City just purchased new software for the utility billing two or three years previous.

A motion was made by Commissioner Holland, seconded by Vice-Mayor Aliberti, to Approve Ordinance No. 18-14 on First Reading. The motion carried by the following vote:

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

VII. OTHER BUSINESS

18-0137

Public Discussion on Disposition of City Property at 20 E. Magnolia Avenue

Ron Neibert, City Manager, reported that the City had closed on the property located at 20 E. Magnolia Avenue. He asked for direction from the Commission.

Commissioner Gnann-Thompson stated her understanding that three or four parties are interested in the property. She indicated she would like to know what their plans are for the property.

Mayor Morin stated his belief that the location could be a venue for entertainment. He also stated that the Bay Street Theater needs to be expanded. He indicated he would like to have public discussion on possible uses for the site. He encouraged public commentary on what could be done with building.

CONSENSUS: It was a consensus of the Commission to place the item back on the next agenda to encourage public discussion on the use of the property.

VIII. FUTURE AGENDA ITEMS

Mayor Morin requested a report on the safe streets project with Mr. Neibert stating that a report was provided two weeks previous when the Mayor was unable to attend. He stated he would have the presentation from the meeting sent to the Mayor.

Commissioner Holland requested to have a discussion about the park near Trout Run. He stated that the area needs to be cleaned up and the picnic benches are unsafe. He emphasized that is an entrance to the City and needs to be enhanced. He also expressed support for providing funding to organizations working to clean up the waterways.

Mr. Neibert indicated that the City has the park under lease from the state.

Mayor Morin asked to have a discussion on rental inspections. He noted the number of complaints he has received regarding how the City looks. He asked for information regarding the number of owner occupied homes versus rentals. He stated that the City's housing stock is decreasing due to rentals. He also requested to receive information on other cities' rental inspection programs.

Vice Mayor Aliberti commented on the Tastemaster's event and asked to have the pool open during the day for the 4th of July celebration.

Mr. Neibert suggested that the pool fees be waived for that day as well.

Commissioner Gnann-Thompson asked about getting the County to clean up the baseball fields. She stated she is getting calls regarding how bad the fields look.

Mr. Neibert responded that he met with the school district's facilities manager. They maintain it is the responsibility of the little league since they lease the site to the little league. He stated the School Board isn't even mowing the right-of-way.

The Commission discussed how to address the problem with the Mayor recommending that a letter be sent to the School Board from the Commission.

Mr. Neibert indicated he would prepare a letter for the Commission's signature.

The Commission also noted that the State needed to mow along SR19.

IX. COMMENTS

City Commission

Commissioner Holland announced the death of Billy Fowler who owned the Car Doctor and was chair for a number of years for the Code Enforcement Board. He stated the funeral service would be Saturday at Harden-Pauli. He added that Mr. Fowler was also very involved with the Bay St. Players. He requested the City send condolences.

City Manager - None

City Attorney - None

Mayor - None

X. ADJOURNMENT - 7:33 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.