



MINUTES

City Commission Meeting

6:00 PM – Thursday, July 06, 2023 – City Hall

INVOCATION: PASTOR DANN RAGAN, LIFEPOINTE CHURCH

PLEDGE OF ALLEGIANCE: COMMISSIONER GARY ASHCRAFT

CALL TO ORDER: 6:01 P.M.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

PRESENT: Commissioner Gary Ashcraft, Commissioner Nan Cobb, Commissioner Willie Hawkins, Vice Mayor Emily Lee and Mayor Michael Holland

1. AGENDA UPDATE

Tom Carrino, City Manager, indicated that staff is requesting to move Item 5.2 Resolution Number 23-54 to July 20, 2023, at the request of the applicant.

Commissioner Hawkins requested the item be moved to the August 3, 2023, meeting instead of July 20, 2023, so he could be present.

It was a consensus of the Commission to move Resolution Number 23-54 to the August 3, 2023, meeting.

Mr. Carrino explained for the audience that the resolution pertains to the Hidden Cove development. He then stated that the applicant is requesting to postpone Ordinances 23-18, 23-19 and 23-20 to August 3rd.

It was a consensus of the Commission to move the ordinances to August 3rd.

2. APPROVAL OF MINUTES

2.1 Approval of Minutes

May 18, 2023 City Commission Meeting

June 1, 2023 City Commission Meeting

June 15, 2023 City Commission Meeting

Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee to approve the Minutes as submitted. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

3. PRESENTATIONS

3.1 Certificate of Recognition for Amare Williams

Mayor Holland presented a certificate of recognition to Amare Williams in honor of his accomplishments at the Florida state finals in running.

3.2 Proclamation: Parks and Recreation Month

Mayor Holland presented Craig Dolan, Parks and Recreation Director, with a Proclamation to recognize July as Parks and Recreation month in the City of Eustis. He noted all of the programming that the department does for the community.

Mr. Dolan thanked the City Commission and highlighted the new ADA accessible kayak launch which would open that month.

3.3 Public Risk Management Safety Award

Tia O'Neil, Public Risk Management of Florida, and Amy Cooper, World Risk Management, presented the Public Risk Management Safety Award to Finance Director Mike Sheppard, representing the City, for its improvement in safety with a 27% decrease in workers compensation claims.

3.4 Update from Eustis High School

Sonya White, FBLA Advisor at Eustis High School (EHS) and Freshman Class Sponsor, presented an update on the EHS programs. She highlighted the students who competed in FBLA at the state level and thanked the City for its support. She noted that there were two students who qualified for nationals but could not attend due to lack of funding. Ms. White commented on how they are encouraging the students to serve the community and presented their 2023-2024 Wish List, including the following: Color Laser Jet Printer, Business Ties, Dress Pants (Girls and Boys), White button-down long sleeve dress Shirts (Boys and Girls), and Blue or Black Skirts (any size). She added they also accept gift cards to allow the students to purchase their own dress clothes, as well as monetary donations to support the District and State Competition and National Conference. She emphasized their efforts to get the students to read more. She explained what she teaches in her class and how that helps the students in the business world. She pointed out ways to donate by mail, in-person or online. She added that they also need people to volunteer as mentors or guest speakers.

Mayor Holland encouraged her to keep the Commission informed and expressed concern that there were students who couldn't attend nationals due to lack of funding. He indicated that the Commission would be happy to assist finding sponsors when needed.

3.5 Eustis Police Department /Altumint School Zone Cameras

Mayor Holland complimented Chief Capri and the department for their handling of a recent critical incident. Chief Capri complimented the department personnel and their relationship with the other agencies in the County.

Police Chief Craig Capri introduced a presentation to be provided by Altumint regarding school zone cameras and newly adopted legislation.

Jason Norton, representing Altumint, explained their program is funded by the violators and never at the cost of the City. He cited the newly enacted statute HB 657 which became effective the previous Saturday. He explained that, under the new statute, the violator must be going a minimum of ten miles per hour over the speed limit. The fine is \$100 but does not result in any points against the driver's license and does not effect their insurance. He added that enforcement is allowed only before school with the flashing lights, during school while students are present and right after school when the flashing lights are on. He noted that the program also includes a public information campaign which provides that in the first 30 days they will only get a warning ticket and not a fine.

Mr. Norton then cited specific statistics involving pedestrian/vehicle accidents and the increase in fatalities based on vehicle speed. He indicated they did some testing when school was in session and 30% of the drivers were breaking the speed limit at ten miles per hour or more. He then presented some additional statistics regarding volume and speeds. He cited the benefit of the program providing additional speed enforcement around the schools without additional cost to the City or increasing personnel.

Chief Capri expressed support for the program and emphasized it would enforce the speed limit during school hours at no cost to the tax payer.

The Commission expressed concern regarding the speeding outside of the school zone hours with Mr. Norton explaining the statistics and indicating what pertains to school hours. He confirmed that the law only allows them to do the camera enforcement during school hours.

The Commission then asked about the speeding on Bates Avenue with Chief Capri indicating they can conduct additional speed studies and they can look at expanding the program.

CONSENSUS: It was a consensus of the Commission for staff to bring back the program for formal approval.

4. AUDIENCE TO BE HEARD: None

5. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

5.1 Resolution Number 23-18 (Re-Hearing): Estes Reserve Subdivision Preliminary Subdivision Plat Approval

Sasha Garcia, City Attorney, announced Resolution Number 23-18: A Resolution of the City Commission of the City of Eustis, Florida; approving a preliminary subdivision plat for Estes Reserve Subdivision, an 18-lot single family residential subdivision, on approximately 4.7 acres of property located north of Bates Avenue/Lake Lincoln Lane, on the west side of Estes Road (Alternate Key Number 3862867).

Jeff Richardson, Deputy Director of Development Services, presented the applicant's request for Resolution Number 23-18 (Re-hearing) for approval of the Preliminary Subdivision Plat for Estes Reserve. He provided a history of the request. He noted that the Preliminary Subdivision Plat was intended to be advertised for the May 18th City Commission agenda, however, deadlines were missed and proper notice could not be met, thus the request was rescheduled for the June 1, 2023, City Commission Agenda.

Mr. Richardson explained that on June 1, 2023, the City Commission heard the request and voted to not approve the request due to outstanding questions and concerns. He indicated that on June 20, 2023, staff requested that the City Commission consider rehearing of the request for Preliminary Subdivision Plat approval. At that time, the Commission granted their approval to return the Preliminary Subdivision plat to an advertised and noticed City Commission meeting for consideration.

Mr. Richardson provided an overview of staff's analysis of the latest application resulting in approximately 3.83 du with a future land use of Suburban Residential and design district of Suburban Neighborhood. He indicated approximately 60% of the existing trees are being removed with about 40% of the canopy being replaced. He stated staff's recommendation for approval noting that the plat is consistent with the Comprehensive Plan and Land Development Regulations and the density is consistent with the land use classification as well as previous developments in the immediate vicinity.

Attorney Garcia opened the public hearing at 6:43 p.m.

The following individuals expressed opposition to Resolution 23-18: 1) Charles Sweat; 2) Tammy Pena; 3) Kim Reed; and 4) Cindy Newton.

Attorney Garcia closed the public hearing at 6:55 p.m.

McGregor Love, land use attorney and applicant representative, responded to some of the public comments. He commented on the objectivity of the regulations required for preliminary plats. He stated, for the record, the fence around the retention pond is not required and will be addressed at final engineering and confirmed that it needs to not be fenced in order to be counted toward open space. He added that, due to the grade, it will not need to be fenced and, if fenced, the project would not receive final engineering approval.

Christopher Germano, Germano Engineering, explained that the engineering design will work out the particulars for the retention pond. He stated they will be proposing to have no fence with a 4:1 slope in order to meet the intent of the open space. He further explained what would trigger the requirement for a fence around the pond.

Mr. Carrino further explained the intent of the code is that, if the slope is slight enough so that the residents can utilize the area to recreate, then a fence is not required.

The Commission asked about the possibility of them providing the requested fence in order to be a "good neighbor".

Mr. Love responded that they have preserved the northern buffer where all the trees are. He explained they felt the natural barrier would be better than a white PVC fence. He indicated their intention of doing that on the north side rather than the south. He stated it is approximately 25 to 30 feet in width.

Mr. Carrino confirmed that more trees would have to be removed in order to put in a barrier fence.

Mr. Love explained they have worked closely with their landscape architect Tim Green to minimize grading in that area to preserve and protect the trees.

Motion made by Commissioner Ashcraft, Seconded by Commissioner Cobb, to approve Resolution Number 23-18. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

5.2 Resolution Number 23-54: Preliminary Subdivision Plat for Hidden Cove 43-LOT Subdivision on Lakeview Avenue (Alternate Key Number 1216044)

This item was postponed at the request of the applicant with the Commission deferring the resolution to August 3, 2023, so that all Commissioners could be present.

5.3 SECOND READING

Ordinance Number 23-10: Conditional Use Permit for an Accessory Dwelling Unit at 527 Hill Street

Attorney Garcia read Ordinance Number 23-10 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 an accessory dwelling unit to an existing single-family residence in the Suburban Residential (SR) future land use district on approximately 0.2 acres located at 527 Hill Street.

Mr. Richardson explained that the Commission had requested a change to the ordinance regarding the size of the structure and reducing it to 84 square feet.

Mr. Carrino further explained that the applicant is being allowed to have surface parking with a storage area rather than building another garage which is allowed in other districts.

Attorney Garcia opened the public hearing at 7:05 p.m. There being no public comment, the hearing was closed at 7:05 p.m.

Motion made by Commissioner Cobb, Seconded by Commissioner Hawkins, to adopt Ordinance Number 23-10 on final reading. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

5.4 FIRST READING

Explanation of Ordinances for Annexation of Parcels with Alternate Keys 1444756, 2585153, and 2535628 (Ordinance Numbers 23-12, 12-13 and 12-14)

Ordinance Number 23-12: Voluntary Annexation – 18900 State Road 44

Attorney Garcia read Ordinance Number 23-12 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 10.98 acres of real property at Alternate Key Numbers 1444756, 2585153 and 2535628, generally located at 18900 State Road 44, east of Lake Joanna and north of Loch Leven.

Mr. Richardson presented Ordinances 23-12, 23-13 and 23-14 for the annexation, future land use designation and design district assignment for properties located at 18900 State Road 44 and adjacent property with Alternate Key Numbers 1444756, 2535628 & 2585153. He cited the property owner and applicant for the annexation of the 10.98 acres. He reviewed the site location and staff's evaluation of the request. He stated that the future land use designation is going from Lake County Urban Low to Mixed Commercial Residential in the City and the design district designation would be Suburban Neighborhood. He indicated staff's recommendation for approval.

Attorney Garcia opened the public hearing at 7:11 p.m. There being no public comment, the hearing was closed at 7:11 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Hawkins, to approve Ordinance Number 23-12 on first reading. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

5.5 FIRST READING

Ordinance Number 23-13: Comprehensive Plan Amendment – 18900 State Road 44

Attorney Garcia read Ordinance Number 23-13 by title on first 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 F.S.; changing the future land use designation of approximately 10.98 acres of recently annexed real property at Alternate Key Numbers 1444756, 2585153 and 2535628, generally located at 18900 State Road 44, east of Lake Joanna and north of Loch Leven, from Urban Low in Lake County to Mixed Commercial Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 7:12 p.m. There being no public comment, the hearing was closed at 7:12 p.m.

Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee, to approve Ordinance Number 23-13 on first reading. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

5.6 FIRST READING

Ordinance Number 23-14: Design District – 18900 State Road 44

Attorney Garcia read Ordinance Number 23-14 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood design district designation to approximately 10.98 acres of recently annexed real property at Alternate Key Numbers 1444756, 2585153 and 2535628, generally located at 18900 State Road 44, east of Lake Joanna and north of Loch Leven.

Attorney Garcia opened the public hearing at 7:13 p.m. There being no public comment, the hearing was closed at 7:13 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Hawkins, to approve Ordinance Number 23-14 on first reading. The motion passed on the following vote:

Voting Yea: Commissioner Ashcraft, Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

5.7, 5.8 and 5.9 FIRST READING

Explanation of Ordinances for Annexation of Parcels with Alternate Keys 2666820, 3884298, 3884439, and 3884441 (Ordinance Numbers 23-18, 23-19 and 23-20)

Ordinance Numbers 23-18, 23-19 and 23-20 were postponed to August 3, 2023, at the request of the applicant.

6. FUTURE AGENDA ITEMS

See Comments - City Commission

7. COMMENTS

7.1 City Commission

Commissioner Hawkins announced there would be a special needs community event on October 4th at the Community Building. He explained the intent is to assist the Police Department in getting to know those residents with special needs. He then announced the City would hold an event on October 21, 2023 in conjunction with City Eustis High School. He stated it would be at the Community Center and would be to raise money for all high school athletics. He cited the various activities and announced that Thomas McClary, a Eustis High School graduate and founder of the Commodores, would be the headliner.

Mayor Holland announced that the goal for the event is to raise a minimum of \$60,000 to support the high school athletic programs. He cited the number of recent EHS athletes that have gone to state competitions.

Commissioner Ashcraft reported on the recent MPO meeting and their work on the Sun Trail, Coast to Coast Trail and the North Hills Trail. He complimented City staff on the Hometown

Celebration event and fireworks. He especially cited the historical tent and noted the number of boats on Lake Eustis to watch the fireworks.

Commissioner Cobb clarified, under Ordinance 23-11, she had misspoke when she stated that the property was for sale; however, it is not for sale. She thanked the Lake County Sheriff's Kids Charities and others for their support of the Cassia Community Backpack Event. She noted they raised \$2,000 in three days. She announced that the Sheriff's Kids Charities Project Kid Connect backpack giveaway event would be held at the Clermont substation on July 15th. She noted that the children the backpacks are for must be in attendance. She asked that Chief Capri provide a code enforcement update.

Craig Capri, Police Chief, reported they have collected since November 2022 over \$234,000 in fines. He cited various fines collected including a case to go before the Code Enforcement Board the following week.

Commissioner Cobb complimented City staff for their work on the Independence Day "Hometown Celebration".

Commissioner Hawkins complimented the Eustis Fire Department staff on their excellent handling of a sequence of recent fires. It was noted that the City department also responds to a large number of calls for locations in the County.

Vice Mayor Lee concurred with the other Commissioners comments on the events. She then noted that the Commission is often asked to meet with different groups to hear their concerns. She indicated her willingness to attend those meetings in order to hear all sides. She emphasized that the Commissioners must meet the rules of the Sunshine Law and they cannot attend to provide their comments but only to hear the residents' comments.

7.2 City Manager

Mr. Carrino complimented both the Police and Fire departments for their great work. He commented on the Hometown Celebration and noted that Public Works produced the images in the sign shop and fabricated frames for the historical tent. He cited the participation also by Parks and Recreation. He stated that while Events takes the lead, it really is a team effort.

Mr. Carrino then stated that, at the Commission's request, staff has scheduled a Commission and merchants meeting to update merchants on various special events, the master plan, pedestrian improvement project as well as other information. He indicated the meeting is scheduled for 10:30 a.m. on Monday, July 10th in the Commission Room.

Mr. Carrino asked the Commission to check their calendars to schedule some public meetings regarding the master plan. He suggested the meetings be held on August 15th and 16th. He noted the consultants would also want to meet with them individually. He confirmed that any meeting where more than one Commissioner may attend would be noticed.

Mr. Carrino stated that they are also working on the strategic plan process and would provide more information on that.

7.3 City Attorney

Attorney Garcia asked to schedule a shade meeting at 5:00 p.m. on Tuesday, July 11th prior to the budget workshop regarding the SpenceTF matter.

7.4 Mayor

Mayor Holland thanked staff and the citizens of Eustis for the Hometown Celebration. He noted that the City was celebrating its 140th birthday and it was also the 247th birthday of the United States.

Mayor Holland expressed pride in the Eustis Police Department and thanked Al Latimer for his work in economic development. He apologized for the exchange with the City resident. He stated that the purpose of the meeting is not for the Commission or City staff to be beat up on. He cited what the Commissioners and staff do for the City.

Vice Mayor Lee thanked Mayor Holland for his service to the City.

8. ADJOURNMENT: 7:34 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 of the meeting can be obtained from the office of the City Clerk for a fee.*

CHRISTINE HALLORAN
City Clerk

MICHAEL L. HOLLAND
Mayor/Commissioner