



MINUTES

City Commission Meeting

6:00 PM – Thursday, April 02, 2026 – City Hall

Invocation: David Williamson, Central Florida Freethought Community

Pledge of Allegiance: Commissioner Willie L. Hawkins

Call to Order: 6:23 p.m.

Acknowledgement of Quorum and Proper Notice

PRESENT: Commissioner Willie L. Hawkins, Commissioner Michael Holland, Commissioner George Asbate, Vice Mayor Gary Ashcraft, and Mayor Emily A. Lee

1. Agenda Update

Interim City Manager Rick Gierok noted no agenda updates.

2. Approval of Minutes

2.1 Approval of Minutes for March 19, 2026, City Commission Meeting

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft to approve the meeting minutes as submitted. Motion passed on the following vote:

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

3. Appointments

3.1 Reappointment to the Eustis Housing Authority (EHA) – Ronnie Buggs

Interim City Manager Gierok presented the reappointment of Ronnie Buggs to the Eustis Housing Authority.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft to approve the reappointment of Ronnie Buggs to the Eustis Housing Authority for the four-year term from April 2, 2026, to April 2, 2030. Motion passed on the following vote:

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

4. Audience to be Heard

Mayor Emily A. Lee requested comments from the audience.

Patrima Strong, representing Congressman Randy Fine's office, addressed the Commission and thanked them for the opportunity to attend on the Congressman's behalf. She informed those present that a congressional office is located within the district and explained that her role is to assist constituents with federal needs as well as support the city when needed. She noted that she had distributed business cards and expressed appreciation for the warm reception. Commissioner Holland responded by stating that it was valuable to have a United States Congressman's office located within both the district and the city.

Brian Kirstein, a longtime Eustis resident of over twenty years, spoke about severe damage to his home caused by a sewage backup on October 26, 2025. He stated that four to six inches of sewage water flooded his home, forcing him to spend \$67,500 of his own money on repairs. He asked who owns and is responsible for the wastewater plant and sewer lines serving his property on East Floral Avenue, emphasizing that he is seeking accountability and reimbursement, and not additional compensation. Mr. Kirstein also expressed frustration that his attempts to contact the city manager's office have gone unanswered and that the only staff member, Phil Martin, has communicated with him, and he has no decision-making authority.

In response, Interim City Manager Gierok stated that the city had received correspondence from an attorney indicating representation of Mr. Kirstein, which required the matter to be handled through legal channels, limiting direct communication. Mr. Kirstein disputed this, explaining that although Attorney Anthony Sabatini had written a letter of demand on his behalf, he had not retained him or entered into any formal agreement. He said the letter was intended to prompt action and that he has avoided hiring an attorney to prevent additional costs for himself and the City. Interim City Manager Gierok replied that the City would provide him with a copy of the letter in question, maintaining that their understanding of representation required them to proceed through legal counsel.

Daniel DiVenanzo, a local business owner, discussed flooding at his building located at the corner of Bay Street and Lakeshore, formerly known as Counter Impressions. He explained that during a recent heavy rain event, water rose above floor level and flooded the building. Mr. DiVenanzo also spoke about a previous Community Redevelopment Agency (CRA) funding related to a five-story apartment building he developed with CRA support. He recommended that the city consider hiring a full-time attorney and encouraged improved communication between staff, legal counsel, and elected officials. Mr. DiVenanzo concluded by thanking the mayor for her civility and leadership, stating that it has improved the tone of Commission meetings.

Lindsay Briones raised concern regarding accessibility for individuals with medical devices. She explained that standard metal detectors at building entrances can interfere with such devices, even when turned off, potentially creating a health risk and liability for the city. Interim City Manager Gierok acknowledged the issue and assured her that staff would implement alternative procedures, asking individuals to notify staff upon arrival so appropriate accommodation could be provided. Mayor Lee thanked Ms. Briones for bringing the issue forward and apologized for the inconvenience, confirming that the matter would be addressed.

5. Consent Agenda

5.1 Resolution Number 2026-38: Carver Park & Elizabeth Circle Playground Improvements

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft to approve the Consent Agenda. Motion passed on the following vote:

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

6. Ordinances, Public Hearings, & Quasi Judicial Hearings

6.1 Resolution Number 2026-39: Consideration of Fine Reduction/Release of Lien for 222 South Bay Street, Code Case 21-00898 and 23-00629

City Attorney Garcia introduced Resolution Number 2026-39, a resolution of the City Commission of the City of Eustis, Florida, regarding a code enforcement lien on property

located at 222 South Bay Street, authorizing implementing actions and providing for an effective date.

Code Enforcement Supervisor Eric Martin explained that the resolution would approve a Code Enforcement Board order reducing two outstanding liens totaling \$156,500 to \$2,480 and releasing the liens upon payment. He noted that the resolution also allows the Commission to consider alternative options, including setting a different reduced amount and payment timeframe, requiring the full lien amount to remain due, or releasing the lien entirely without payment.

Mr. Martin provided background, stating that on April 19, 2025, the Code Enforcement Board reviewed a fine reduction application submitted by Lois Benaglio on behalf of Eustis Rides, LLC., the property owner at the time. Prior to submitting the application, Ms. Benaglio had entered a contract to purchase the property but sought a lien reduction before closing. After the board approved the reduction, she proceeded with the purchase, and a special warranty deed was recorded on April 21, 2025, transferring ownership to Lois Lane Properties, LLC. Following the purchase, the new owner obtained the necessary permits and brought the property into compliance with city code. Based on these actions, staff recommended approval of the resolution.

Mayor Lee questioned how a property with an existing lien could be sold without the lien being paid, expressing concern that such a process could allow a seller to avoid responsibility. Mr. Martin responded that while he is not a real estate attorney, the transaction was a cash purchase, and buyers can choose to assume the liability. He explained that transactions such as quitclaim deeds can transfer property without a clear title, meaning the lien remains attached even if ownership changes. Mayor Lee reiterated that the situation seemed unfair, suggesting it could be used as a loophole for avoiding payment. Commissioner Ashcraft added that ultimately someone must be responsible for the lien.

Mr. Martin acknowledged the concern, stating that while the city prefers that violators be held accountable, it has no control over private real estate transactions. He explained that the previous owner was unable to secure financing due to the liens and had unsuccessfully sought full relief from the board. Despite the property selling for approximately \$243,000 without payment toward the liens, the city's priority is achieving compliance. He emphasized that the property had significant structural and electrical issues and is now in the hands of a responsible owner who has corrected those problems. While some violators may avoid penalties, the City's primary goal is to bring properties into compliance. In response to further questioning, Mr. Martin added that because the former owner operated under an LLC with no additional assets, the city had limited options for recovery beyond the property itself.

Commissioner Holland asked if the recommendation presented reflected the Code Enforcement Board's position, and Mr. Martin affirmed that it did.

Commissioner Asbate added that the case had been ongoing for some time and that the board had provided multiple opportunities for compliance and payment, which were not met. He noted that reducing the lien ultimately allowed the property to be rehabilitated and brought into compliance, resolving ongoing safety concerns.

With no further comments from the Commission, City Attorney Garcia opened the public hearing at 6:44 p.m. There being no public comments, the City Attorney closed the public hearing at 6:44 p.m.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft to approve Resolution Number 2026-39. Motion passed on the following vote:

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

6.2 Second Reading of Ordinance Number 2025-38: Adoption Hearing for 2025-CPT-01 Evaluation and Appraisal Review (EAR) Based Amendments to the City of Eustis Comprehensive Plan

City Attorney Garcia read Ordinance Number 2025-38, an Ordinance amending the Comprehensive Plan of the City of Eustis to adopt city-initiated Evaluation and Appraisal Review (EAR)-based amendments pursuant to Section 163.3191, Florida Statutes. The ordinance updates the goals, objectives, and policies related to future land use, transportation, housing, infrastructure, conservation, recreation and open space, intergovernmental coordination, capital improvements, economic development, and property-rights elements of the Comprehensive Plan. It also updates the Future Land Use Map series and includes provisions for severability, repeal of conflicting ordinances, and an effective date.

City Attorney Garcia noted that a prior presentation had already been given. Mr. Lane commented that there were no updates or additional information for the Commission.

City Attorney Garcia asked if any Commissioners had questions, and none were raised.

City Attorney Garcia opened the public hearing at 6:45 p.m. There being no public comments, the City Attorney closed the public hearing at 6:45 p.m.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft to approve Ordinance Number 2026-38 on second reading.

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

6.3 Second Reading of Ordinance Number 2026-13: Conditional Use for an Accessory Dwelling Unit at 228 S Center Street (AK 1631157)

City Attorney Garcia introduced Ordinance Number 2026-13 on second 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 (ADU) to an existing single-family residence within the Suburban Residential (SR) Future Land Use District on approximately 0.33 acres located at 228 South Center Street. It was noted that a presentation on the item had previously been provided on March 19th by Mr. Wilkes. When asked if there was any additional information to present, Mr. Wilkes indicated there was none. The Commission was then asked if there were any questions, and none were raised.

City Attorney Garcia opened the public hearing at 6:46 p.m. There being no public comments, the City Attorney closed the public hearing at 6:46 p.m.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft to approve Ordinance Number 2026-13 on second reading. Motion passed on the following vote:

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

6.4 First Reading of Ordinance Number 2026-20: Amendment to the Land Development Regulations – Prohibition of Medical Marijuana Treatment Center Dispensing Facilities

City Attorney Garcia introduced Ordinance Number 2026-20 on first reading, an Ordinance amending the City of Eustis Land Development Regulations (LDRs) to prohibit Medical Marijuana Treatment Center (MMTC) dispensing facilities within the City pursuant to Section

381.986(11)(b), Florida Statutes. The ordinance includes legislative findings, definitions, provisions for nonconforming uses, enforcement, and standard clauses for conflicts, severability, codification, and an effective date.

City Attorney Garcia presented the item, explaining that the purpose of the ordinance is to establish a clear land use policy and supporting legislative record. The ordinance was properly advertised on March 30, 2026, and April 6, 2026, and a business impact estimate was completed in accordance with state law. The Local Planning Agency hearing was also held prior to the Commission meeting.

City Attorney Garcia noted that the city had previously prohibited MMTCs in 2017, later reversing that decision in 2020 by classifying them as pharmacies, which allowed them in certain zoning districts. She explained that under Florida law, municipalities have limited authority and must either treat MMTCs the same as pharmacies or prohibit them entirely. The current classification as pharmacies restricts the City's ability to regulate them independently. Based on observations of existing facilities, she described MMTCs as having controlled access, security measures, restricted entry, and unique traffic and operational patterns that differ from traditional pharmacies. As a result, the City determined that they are not functionally equivalent for land use purposes.

City Attorney Garcia commented that the proposed ordinance would establish a uniform, citywide prohibition on new MMTCs while allowing existing facilities to continue operating as legal nonconforming uses without expansion or relocation. She noted that alternative facilities are available throughout Lake County, ensuring continued access for patients. She highlighted that the ordinance presented was consistent with the City's Comprehensive Plan and intended to promote compatibility, predictability, and public welfare.

City Attorney Garcia opened the public hearing at 6:59 p.m.

George Warren of Bay Pharmacy, Lake Pharmacy, and Bay Pharmacy Long-Term Care expressed concern that the ordinance might impose restrictions on existing pharmacies, and City Attorney Garcia clarified that the ordinance applies only to medical marijuana dispensaries and does not affect traditional pharmacies or their ability to expand, which resolved his concerns.

Daniel DiVenanzo then asked whether the ordinance would prevent him from leasing property to such a facility, and City Attorney Garcia confirmed that new MMTCs would not be permitted under the proposed regulation.

There being no further public comments, the City Attorney closed the public hearing at 7:03 p.m.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft to approve Ordinance Number 2026-20 on first reading. Motion passed on the following vote:

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

7. Other Business

7.1 Discussion on Estes Road – Project with County

Interim City Manager Gierok explained that on March 9, 2026, city staff submitted a letter of support for Lake County's effort to secure federal appropriations for a stormwater project along Estes Road, at the request of Commissioner Hawkins. He noted that the proposed project would involve a drainage basin and treatment pond to address longstanding stormwater runoff

issues affecting areas within both city and county jurisdiction; however, Lake County ultimately did not submit the application due to time constraints and readiness concerns. Commissioner Hawkins commented that he had been working with the County since December to address the issue which has persisted for approximately twenty years. He emphasized the importance of continuing collaboration with the County, State, and Federal partners, including Congressman Randy Fine's office, to identify funding sources and solutions.

Commissioners discussed the severity of flooding in the area, particularly at one residence that has experienced repeated and significant flooding, and concerns were raised about how the property was originally approved for construction given its low elevation and location within a natural drainage area. It was noted that the flooding may have been exacerbated by subsequent nearby development, including the Blue Lake area. While there was general agreement on the need to address broader stormwater management issues along Estes Road, some Commissioners questioned whether on-site solutions, such as drainage systems or elevation adjustments, could help mitigate the problem for individual properties.

Commissioners expressed concern about the use of public funds to resolve what may be, in part, a private property issue. It was acknowledged that the affected property owner may have been aware of the flooding risks prior to purchase, and that using taxpayer funds could set an undesirable precedent. Despite these concerns, there was consensus that supporting external funding efforts such as grants pursued by Lake County or assistance from agencies like the St. Johns River Water Management District was appropriate.

Interim City Manager Gierok noted that any long-term solution would require detailed engineering analysis, including soil testing and evaluation of drainage capacity, and would likely address a broader drainage basin rather than a single property.

The Commission expressed support for continuing intergovernmental coordination and pursuing grant funding opportunities, while making clear that they were not committing City taxpayer funds at this time. No formal vote was required, but there was general consensus to support the County's efforts through letters of support and collaboration with relevant agencies and legislative partners.

8. Future Agenda Items and Comments

8.1 City Commission

Vice Mayor Ashcraft asked if there were any more talks about Lakeshore Drive and where the City stands with Lake County. Interim City Manager Gierok responded that while no resolution has been pursued, staff had a productive partnering meeting with the County. He noted that the engineering director of the County met with their Commission, and the City shared updated traffic data, including an additional week of traffic counts. Interim City Manager Gierok emphasized that the City would support the county's efforts moving forward, and the County is currently reviewing options for Lakeshore Drive. Vice Mayor Ashcraft noted that this past weekend, downtown was lively due to the Japanese Festival, which drew a large crowd. He remarked that it was encouraging to see so many visitors, including Secretary of State Byrd and his wife, who toured local businesses and Ferran Park. Vice Mayor Ashcraft highlighted that during the visit, Secretary of the State Byrd inquired whether the City participates in the Main Street USA program and suggested re-evaluating this program because it could provide support and potential funding for downtown initiatives. Vice Mayor Ashcraft commented that the ongoing goal is to attract people who have not visited downtown before and noted that businesses were pleased with the turnout at the Japanese Festival and Shamrock Fest.

Commissioner Hawkins asked whether the Main Street program could help organize and unify downtown merchants. Vice Mayor Ashcraft explained that the previous Downtown Business Association had disbanded, and the connection with Main Street USA had been limited. He suggested that re-engaging with these programs could provide additional support for downtown efforts, commenting that several businesses reported to him only receiving a single email notification about street closures, indicating a need for improved communication and multiple reminders. Interim City Manager Gierok acknowledged this concern and indicated it would be addressed in staff communications.

Commissioner Holland apologized for missing the previous meeting due to illness and congratulated the City on the success of recent festivals. He emphasized that government does not have to lead every initiative, noting the effectiveness of private organizations in driving downtown activity with City support. Commissioner Holland provided a medical update on Tim Totten, who recently underwent robotic open-heart surgery and is currently in ICU while temporarily pausing cancer treatments. He asked that Mr. Totten remain in everyone's thoughts and prayers. He wished everyone a Happy Easter.

Commissioner Asbate reflected on the Japanese and Irish festivals, noting the overwhelmingly positive response from businesses and visitors. He highlighted that many businesses reported record sales and expressed enthusiasm for future events.

Commissioner Ashcraft emphasized the importance of these festivals as community-building tools and suggested making them permanent fixtures in the downtown calendar. He then noted that the Bay Street Comedy Show is taking place on Saturday, April 4th.

Commissioner Asbate highlighted concerns about Duke Energy's ongoing utility work and its negative visual impact on the city, citing poles visible from the lake and even from airplanes.

Commissioner Asbate criticized the lack of local control and the financial consequences of previous agreements, urging the city to explore legal and regulatory options to improve aesthetic and community standards.

Mayor Lee referenced the City's comprehensive plan policy on protecting neighborhoods from bulk electric transmission corridors, and Interim City Manager Gierok indicated he would consult staff and provide clarification. The Commission discussed options such as painting poles, installing screening at eye level, or adding landscaping to minimize visual impact, but Duke Energy has resisted these efforts, threatening legal action.

Commissioner Ashcraft and others expressed frustration that Duke Energy's claims about paint affecting metal integrity seemed inconsistent with other long-lasting painted infrastructure, such as battleships. Mayor Lee noted examples from highways where aesthetic enhancements like evergreen trees are used to screen utility structures. The Commission further discussed exploring legal consultation and potential ordinances to better manage future transmission lines and leverage upcoming contracts.

8.2 City Manager

Interim City Manager Gierok provided updates on several administrative items. A downtown master plan workshop is scheduled for Tuesday, April 7, 2026, from 1 p.m. to 3 p.m., for discussion of progress since the last meeting. He commented that efforts to improve communication regarding special events include issuing bi-weekly updates that list all upcoming activities, highlighting street closures, and refining permit processes. Mr. Gierok noted that City staff is completing the in-house design for Prevatt Street as an "exit-only" street, which will be shared with the County next week. He then shared attendance figures from recent events: Japanese Festival drew 8,100 visitors, Shamrock Fest attracted 3,000 on

Friday and 5,280 on Saturday, and African American Heritage Festival had 3,300 attendees, demonstrating substantial engagement across events.

Commissioner Hawkins detailed issues with cable companies entering the City without adequate notification, leaving infrastructure like sidewalks damaged, and failing to communicate with residents. Interim City Manager Gierok explained that new permit processes now include door-hanger notifications for new projects and closer follow-up on restoration and cleanup. He emphasized that these issues are widespread and that improvements are being implemented.

8.3 City Attorney

In response to concerns from Commissioner Hawkins about electric charges and the management of utility work, City Attorney Garcia explained that this was addressed in a triage meeting and further updates would follow.

8.4 Mayor

Mayor Lee highlighted the ongoing success of downtown initiatives. She noted interactions with out-of-state visitors, reflecting the growing visibility of Eustis. She expressed hope for expanding cultural events, including Cinco de Mayo and a fall festival. Mayor Lee indicated that American In Bloom advisors and evaluators visit is scheduled for May 10th through May 13th, and the Veteran's Memorial project is progressing. She noted collaborative efforts among downtown businesses, particularly on Bay Street, encouraging similar partnerships on Magnolia Street.

The Commission agreed to gather additional information on the Main Street USA program and other approaches to unify downtown merchants before making decisions. Mayor Lee encouraged Commissioners and staff to continue visiting and engaging with downtown businesses to support these initiatives and ensure successful, sustainable growth for the City's cultural and economic activities

9. Adjournment: 7:49 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. If available, the video recording may be accessible at <https://www.youtube.com/@EustisComRel/streams> or an audio recording may be requested from the office of the City Clerk.*

CHRISTINE HALLORAN
City Clerk

EMILY A. LEE
Mayor/Commissioner