



MINUTES

City Commission Meeting

6:00 PM – Thursday, June 01, 2023 – City Hall

INVOCATION: GORDON BROWN, CENTRAL FLORIDA FREETHOUGHT COMMUNITY

PLEDGE OF ALLEGIANCE: COMMISSIONER WILLIE HAWKINS

CALL TO ORDER: 6:03 P.M.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

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

1. AGENDA UPDATE: NONE

2. APPROVAL OF MINUTES

April 6, 2023 City Commission Meeting
April 20, 2023 City Commission Meeting

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

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

3. PRESENTATIONS

3.1 America in Bloom Recognition Awards – Bay Pharmacy and 4-H Teaching Garden

Mayor Holland explained that Commissioner Cobb and Vice Mayor Lee were both very involved with the America in Bloom program; therefore, he asked them to do the presentations.

Vice Mayor Lee thanked the City for the opportunity to participate in the America in Bloom program. She read the award from the America in Bloom team complimenting Bay Pharmacy and presented the award to George and Doris Warren, representing Bay Pharmacy.

Commissioner Cobb also thanked the City for participating in America in Bloom. She explained the assessment performed by a team from America in Bloom. She read the award from America in Bloom and presented it to Dallas Meringolo for the 4-H Teaching Garden.

3.2 Presentation by Lake County Commissioner Leslie Campione regarding negotiations between the City and County for a Site Specific ISBA

Mayor Holland introduced County Commissioner Leslie Campione noting that they have been working together on several projects.

Ms. Campione reviewed the history of the Hanover requested development east of Eustis. She reviewed the site specific ISBA being requested by Hanover versus them trying to become contiguous in order to annex their property. She indicated that, if approved, they could then work with land planner Randall Arendt to design something unique for the area that would utilize a rural conservation design, common open spaces, preservation of unique areas to be conserved and to preserve as much open space as possible.

Ms. Campione presented an overview of the draft plan noting that there are a number of areas on the site that are unique hydrologically. She cited one area with an artesian well that is shown as a primary conservation area and a natural forest that would also be preserved 100%. She stated the stormwater retention would be designed in a way to have minimal impact on site disturbance. She indicated the stormwater would be piped to the pond so it would limit site disturbance.

Ms. Campione then explained the use of a site specific ISBA (Interlocal Service Boundary Agreement). She stated it would address who would maintain Thrill Hill Road, law enforcement and similar issues and provided examples of how those issues might be addressed. She expressed the hope that the Commission would agree for City and County staff to work together to develop an agreement. She noted she did receive online contact from someone who wanted to know why there should be an agreement to annex property that isn't contiguous. She said she explained to them that there are people between the subject property and City limits that are in unincorporated Lake County and that want to stay unincorporated. She further stated they don't want to feel the pressure of possible annexation. She stated this would give the City the best of both worlds and allow the City grow while keeping unincorporated areas intact and the City and County to figure out how to share and distribute their services.

Ms. Campione stated this would allow the City and County to formulate a good conservation-based design and allow them to work together on the surrounding properties. She stated that would be her major ask that it would lead to a study of the surrounding area and developing parameters that could then be used for other parcels and create a nice transition while protecting the agricultural uses.

Mayor Holland reported that he and Commissioner Campione were able to go out and tour the property with Ben Schneider. He commented on the property's uniqueness and cited the areas that need protection. He indicated that Mr. Schneider is willing to give each Commissioner separate tours of the property. He stated that what they are looking for that night is permission for the City and County staff to work together on the agreement along with him and Commissioner Campione.

The Commission discussed the possibility of moving forward with the negotiations on the agreement.

CONSENSUS: It was a consensus of the Commission for staff to meet with Lake County staff to develop the site specific ISBA for the Hanover property.

4. AUDIENCE TO BE HEARD

Kathy Boyst expressed thanks for the City's work with Commissioner Campione on the agreement. She asked if there would be any community meetings and involvement with Mayor Holland assuring her there would be.

Cindy Newton, unincorporated Lake County, requested clarification as to what constitutes a withdrawal and why certain developments have moved forward.

Mayor Holland indicated that would be addressed when that item is discussed.

5. CONSENT AGENDA

5.1 Resolution Number 23-51: Exterior Pressure Wash City Hall/Finance Annex

5.2 Resolution Number 23-52: EDA Budget Amendment

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

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

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 Resolution Number 23-18: Preliminary Subdivision Plat Approval for the Estes Reserve Subdivision

Attorney Sasha Garcia 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).

Regarding the question from Cindy Newton, Tom Carrino, City Manager, explained the original application included waivers to reduce the lot width which did not meet code. That resolution was for approval with waivers. The applicant has since redesigned the project, reduced the number of lots and they are now requesting preliminary subdivision plat approval. He indicated it is sufficiently different from the prior request that staff felt it could be considered prior to the six months.

Jeff Richardson, Development Services Deputy Director, explained that what happened was that the preliminary subdivision plat was on the agenda for Commission consideration; however, the applicant pulled it from the agenda to allow them time to redesign the project so it was within code. He indicated the amended plans were filed in April and were taken back through the entire process.

Attorney Garcia questioned what actually occurred with Mr. Richardson noting that there was initially an issue with the advertising and then it was withdrawn.

Mr. Carrino indicated the email did utilize the word "withdraw" and the project has been significantly redesigned so staff feels it can move forward.

Attorney Garcia opined that the project could be considered since it was never considered by the Commission and what has been submitted is significantly different from the original application.

Further discussion was held regarding whether or not the applicant was required to pay additional fees as a new application.

The Commission discussed the wording and whether or not the Commission could consider the application. It was agreed to have staff go and check on whether or not they paid new fees and then the Commission could discuss the item. They proceeded with the other agenda items at that time.

Discussion regarding Resolution Number 23-18 resumed at 6:44 p.m.

Mr. Richardson reported that the property owner emailed the City in March and asked for the engineer to contact the City to pull the application. He stated he did not see any contact from the engineer; however, the email from the property owner did pull the application. He then stated that he did not see either an electronic copy nor a hard copy of a re-application. He indicated it was taken back through the approval process.

Attorney Garcia opined that the email was sufficient to confirm withdrawal and stated the Commission could proceed with consideration.

Mr. Richardson presented Resolution Number 23-18 Preliminary Subdivision Plat for Estes Reserve and applicant's request for 18 lots for single-family detached dwellings on approximately 4.7 acres north of Mayhill Loop off of Estes Road. He stated that the site has a Future Land Use Designation of Suburban Residential within a Suburban Neighborhood Design District. He reviewed the proposed density of 3.83 dwelling units/acre and indicated the open space and park space are in compliance with the code or slightly more. He reviewed the lot typology and presented the layout for the subdivision. He indicated there would be a 29 feet landscape buffer on Estes Road as well as a 35-36 feet on the north side for open space and a walking path.

The Commission asked about the sidewalk on Estes Road with Mr. Richardson indicating that is required by code. He stated Mayhill's sidewalks are all internal.

The Commission then confirmed the two Tract D's are the retention areas. They then questioned if there is any type of playground area or any family area with Mr. Richardson responding negatively. He stated the "park space" is the walking trail and indicated it meets the minimum of 1/4 acre for the number of lots in the subdivision. He stated staff recommends approval and that it is substantially consistent with the goals and regulations for the City of Eustis and density is well below the maximum allowed.

Attorney Garcia opened the public hearing at 6:51 p.m.

Lee Conger addressed the Commission regarding the need for dark skies, the effects of light pollution and how to reduce light pollution. She encouraged the Commission to consider adopting "dark skies" as part of the development requirements.

Cindy Newton expressed concern regarding the following issues: 1) the amount of impervious surface in the proposed subdivision; 2) the proposed density; 3) the location of the property within the Wekiva Springs Protection Area and the amount of recharge area; 4) dedication of open space in the recharge areas; and 5) design techniques required for the area.

Charles Sweat expressed support for the reduction in the number of lots from the original plan and stated his opinion that it should be reduced further to 15 units. He cited issues with traffic and children's safety. He requested that a privacy wall be placed between his property and the site which would help reduce noise. He commented on the agricultural uses on his property. He expressed concern that the retention pond would flood his property in the event of a hurricane. He also expressed support for the implementation of dark skies lighting.

Attorney Garcia closed the public hearing at 7:00 p.m.

The Commission asked if there are sidewalks in Mayhill or on Bates that would connect with Mr. Richardson responding negatively.

The Commission asked if there would be sidewalks inside the development with Mr. Richardson indicating there would be a sidewalk along the interior road.

Christopher Germana, engineer for the project, explained there would be a sidewalk along Estes Road that would continue into the community as well. The walking path would just go through the wooded area.

The Commission confirmed that the walking path in front of each lot would be a concrete sidewalk.

The Commission then asked about the buffer on the north side between Mr. Sweat's property and the development with Mr. Germana responding that they have worked with a landscape architect to preserve as much of the trees as possible. He indicated the buffer is 35-feet wide.

The Commission expressed concern regarding the sidewalk on Estes with Mr. Germana noting there is no internal access between Mayhill and the proposed community.

The Commission discussed possibly eliminating the sidewalk on Estes and providing more of a buffer to the north with Mr. Germana responding their intent is to retain as much of the trees as possible especially the larger trees. He stated they would prefer to have the natural buffer not a wall.

Discussion was held regarding the sidewalk on Estes with Mr. Carrino explaining the intent is to eventually have the sidewalks connect so the public doesn't have to pay to build the sidewalks. Discussion was also held regarding eliminating one of the lots to provide a playground. It was also suggested that they deepen one of the stormwater ponds to leave room for a playground with Mr. Germana indicating that would be impractical due to St. John's regulations.

Vice Mayor Lee moved to approve Resolution Number 23-18 for discussion purposes. Mayor Holland seconded.

Further discussion was held regarding the subdivision and lack of a playground with Mr. Germana indicating they have worked with the developer to try and meet all the required codes.

The motion failed on the following vote:

Voting Yea: Vice Mayor Lee, Commissioner Ashcraft

Voting Nay: Mayor Holland, Commissioner Cobb, Commissioner Hawkins

6.2 Resolution Number 23-39: Site Plan with Waiver to Landscape Requirements for the Duke Energy - Eustis South Substation

Attorney Garcia announced Resolution Number 23-39: A Resolution of the City Commission of the City of Eustis, Florida; approving a site plan with waiver (to Section 115-9.3.2(A) Suburban Design District Standards - Suburban Landscape) for the Duke Energy-Eustis South substation on approximately 5.22 acres located west of South Bay Street and north of Plaza Drive (Alternate Key Number 1240336).

Heather Croney, Senior Planner, presented Resolution Number 23-39 for Duke Energy Center Eustis South Substation Site Plan with Landscaping Waiver. She reviewed the applicant's request for site plan approval to expand the existing Duke Substation with waiver to the landscape buffer requirements. She explained they want to add a covered area, have an unmanned control equipment enclosure, concrete pavement, resurface some of the existing asphalt pavement and construct a dry retention pond. She presented a copy of the site plan and explained Duke Energy is requesting to not provide the landscaping required by the code but instead to provide a brick wall in front of the structures. She provided examples of the type of brick wall they wish to install. She explained that the code would require they have a 15 to 24 foot landscape buffer along public right-of-ways.

Ms. Croney noted that the existing site does not meet code and, when the application was submitted, staff was hoping it would be a way to bring more aesthetic appeal to the site. She explained they worked through the site plan process. She noted on the site plan the

placement of the proposed brick wall. She stated it substantially meets code requirements and offered options the Commission has.

The Commission confirmed the north side of the lot currently has chain link fencing and the location of the proposed brick wall along Plaza Drive. They confirmed that Duke Energy is contending that the landscaping creates issues.

Nancy Dodd, Government Community Relations Manager for Duke Energy, indicated the wall would go down Plaza Drive and round off. She indicated that Duke Energy does not normally do this but does minimal landscaping. She opined that the brick wall would be more aesthetically pleasing coming into the City. She confirmed they would bring the wall all the way to the property line.

Attorney Garcia opened the public hearing at 6:40 p.m. There being no public comment, the hearing was closed at 6:40 p.m.

Motion made by Commissioner Hawkins, Seconded by Commissioner Cobb, to approve Resolution Number 23-39. The motion passed on the following vote:

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

6.3 FIRST READING:

Ordinance Number 23-08: Amending Tree Protection in Land Development Regulations

Attorney Garcia read Ordinance Number 23-08 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending the Land Development Regulations, Chapter 115, Section 115-10.5 Tree Replacement, to increase the fee for unapproved tree removal from a \$50 fine per tree to a \$2,500 fine per tree, providing for codification, severability and an effective date.

Attorney Garcia opened the public hearing at 6:41 p.m.

Cindy Newton expressed support for passage of the ordinance.

Eileen Tramontana, representing Trout Lake Nature Center, suggested that the Commission also consider adding more prohibited species. She noted that the code also may require planting of trees within ten feet of the property lines as a buffer. She stated that some of the trees planted are large trees such as live oaks and sycamores that eventually have to be cut back which weakens the tree and opens them to disease. She recommended they require smaller trees that have height limits if they are under a power line or similar utility. She indicated that would improve safety.

Mr. Carrino explained the ordinance being considered was to just be a quick fix and that staff will be bringing back a more comprehensive amendment to the code.

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

Motion made by Vice Mayor Lee, Seconded by Commissioner Cobb, to approve Ordinance Number 23-08 on first reading. The motion passed on the following vote:

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

7. FUTURE AGENDA ITEMS

8. COMMENTS

8.1 City Commission

Commissioner Hawkins asked the City Manager about the CRA Review Committee with Mr. Carrino indicating the one issue the Committee was still discussing was the "mow to own" program. He indicated that, while the Committee has not been sunset, they haven't met in a while.

Commissioner Hawkins commented on cities in the area that are raising law enforcement salaries. He expressed concern regarding retention. He praised Police Chief Craig Capri and stated they are obtaining higher quality employees resulting in less worry about lawsuits. He expressed concern about the City losing current employees and the high cost of training new employees. He commented on the improved quality of life in the City due to changes in homeless population, reduction in crime, and engagement in community events.

Commissioner Hawkins further cited changes to the department implemented by Chief Capri that will benefit the department and the City. He emphasized the need for the City to consider increasing the departmental salaries.

Commissioner Hawkins expressed concern regarding information put out on social media. He emphasized he does not respond to people through social media but is happy to meet with anyone that wishes.

Mayor Holland expressed agreement regarding the need to consider pay increases.

Commissioner Ashcraft asked to have discussion regarding the City's sign code on a future agenda. He expressed concern about having another City's name on a building within the City. He complimented the Amazing Race for Charity on their recent check presentation. He announced the passing of former mayor Johnnie Hill.

Mayor Holland also noted the passing of former Mayor Robert Stebbins.

Commissioner Cobb asked when the parking lot at the end of Ferran Park would be paved.

Mr. Carrino explained staff needed to finalize pricing on concrete and curb and gutter and it would be completed as soon as possible.

Commissioner Hawkins asked if anything that replaced that building would have the same footprint.

Mr. Carrino stated his assumption that, when the Commission decided not to move forward with the structural analysis, the building would eventually go away. He indicated that resurfacing the parking lot would not prohibit future development.

Commissioner Cobb expressed agreement on the difficulty with social media posts.

Vice Mayor Lee reported she recently met a young lady that she had previously met through the Resource Center. She noted that, in the past, community members donated funds to an account at Lake Tech to pay for GED tests. This young lady did that and then went on to become a nurse. She commented on the importance of educating the City's residents and improve the work force.

Vice Mayor Lee asked about the status of the cemetery with Mayor Holland indicating Rick Gierok needs to provide a presentation.

8.2 City Manager

Mr. Carrino stated that Mr. Gierok is pulling together information and layouts in order to provide an update on the cemetery. He then asked the Commission to look at their calendars to get budget workshops scheduled. He suggested a number of dates.

The Commission agreed to the following dates for the workshops: Thursday, June 29th; Tuesday, July 11th; Thursday, July 13th; Tuesday, July 25th; and Thursday, July 27th. The workshops were tentatively scheduled for 5:30 p.m.

Mr. Carrino thanked the Commission for the opportunity to attend the FCCMA conference.

8.3 City Attorney - None

8.4 Mayor

Mayor Holland thanked staff for the excellent Memorial Day service. He expressed appreciation for all of the hard work and praised City Manager Carrino for all of his work. He also thanked the rest of the Commission for their work and support.

9. ADJOURNMENT: 7:38 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