



MINUTES

City Commission Meeting

6:00 PM – Thursday, March 02, 2023 – City Hall

INVOCATION: Pastor Harold Kelly, Temple of Power - Church of God in Christ

Moment of silence

PLEDGE OF ALLEGIANCE: Vice Mayor Lee

CALL TO ORDER: 6:01 P.M.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

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

1. AGENDA UPDATE

2. APPROVAL OF MINUTES

2.1 February 2, 2023, City Commission Meeting

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

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

3. APPOINTMENTS

3.1 Reappointment to Police Pension Board of Trustees – Diane Thomas

A motion was made to approve the reappointment of Diane Thomas to the Police Pension Board. Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee. The motion passed on the following vote:

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

3.2 Reappointment to Historic Preservation Board – Monte Stamper

A motion was made to approve the reappointment of Monte Stamper to the Historic Preservation Board. Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee. The motion passed on the following vote:

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

3.3 Reappointment to Historic Preservation Board – Matthew Kalus

A motion was made to approve the reappointment of Matthew Kalus to the Historic Preservation Board. Motion made by Vice Mayor Lee, Seconded by Commissioner Ashcraft. The motion passed on the following vote:

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

4. AUDIENCE TO BE HEARD

Gessner Harris and Selina Bowers thanked the Commissioner, Mayor Holland, the Eustis Parks and Recreation Department and Craig Dolan for their support of the 2023 Debutante Cotillion put on by the Silhouettes of the Criterions Civic Club. Ms. Bowers announced they presented eight young ladies with scholarships and will be awarding other scholarships.

Mayor Holland thanked them for all they do for the young ladies of the community and for the scholarships.

5. CONSENT AGENDA

5.1 Resolution Number 23-20: Acceptance of Sorrento Pines Subdivision Utility Infrastructure and Maintenance Bonds for Phase 1A and Phase 2

A motion was made to approve the Consent Agenda as submitted. Motion made by Commissioner Cobb, Seconded by Commissioner Hawkins. The motion passed by the following vote:

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

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 Resolution Number 23-18: Preliminary Subdivision Plat approval with waiver for Estes Reserve Subdivision

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, a 23-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).

Heather Croney, Senior Planner, presented Resolution 23-18 approving a preliminary subdivision plat with waiver for Estes Reserve. The request is for 23 lots for single-family detached dwellings and one waiver request for reduced house lot type width. She noted the Property Owner, Burgland Investments, LLC, and Applicant, Christopher Germana, Germana Engineering, and site location with approximately 4.7 acres located north of Mayhill subdivision and on the west side of Estes Road. Ms. Croney explained that the site has a Future Land Use Designation of Suburban Residential within a Suburban Neighborhood Design District. She stated that the application was substantially consistent with the Comprehensive Plan and the Land Development Regulations and the proposed density of 4.89 units per acre falls below the maximum. She presented an overview of the proposed subdivision plan. She added that the requested waiver to the LDRs does not jeopardize health, safety or welfare of the public. She stated staff's recommendation for approval.

Mike Lane, Development Services Director, noted emails received regarding individuals who did not receive notice of the meeting. He stated staff looked at what the developer did to provide notice. He reviewed the notice requirements and updates to the City handout for notification requirements relating to the 500 foot notice specifications. He explained they identified a flaw in the City's handout regarding how to obtain the list of property owners to be noticed. He reviewed the process for the applicant to determine the boundary for the 500 foot notice. He indicated staff has identified another way to obtain the addresses for property owners to be notified through the property appraiser's website. He explained there is a difference in the number of addresses obtained utilizing the different methods. He stated that staff will revise the handout to applicants to be more precise with the process.

The City Attorney asked whether or not the additional homeowners were in attendance and whether or not the City has been in contact with them.

Mr. Lane responded that he has not been in contact with them as he was trying to determine what occurred so he could provide an explanation at the meeting. He stated the developer followed the City's directions; however, there is more than one way to do it which resulted in fewer notices going out. He explained prior to November 2022 the City was doing the mailouts; however, when staff designed the handout they passed that burden onto the developers due to relieve the burden on staff. He noted that most of the communities he has worked in require the developers to do the notifications.

The Commission asked about moving the burden of notification to the applicant and the applicant's process to notify staff of completion of requirements. They questioned what can be done to eliminate the possibility of any future problems.

Mr. Lane explained how the handout could be amended to insure it does not happen again.

Due to the confusion in the notifications, the Commission discussed postponing consideration of Resolution 23-18.

A motion was made to postpone consideration of Resolution 23-18 until the notifications are redone. Motion made by Commissioner Cobb, Seconded by Vice Mayor Lee. The motion passed by the following vote:

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

Mr. Carrino asked if the Commission would be more comfortable if City staff compiles the mailing list and then requires the developers to actually send out the notifications.

CONSENSUS: It was a consensus of the Commission for staff to compile the notification mailing list.

6.2 Resolution Number 23-21: Addendum to commercial lease with Lake Eustis Area Chamber of Commerce, Inc.

Attorney Garcia announced Resolution Number 23-21: A Resolution of the City Commission of the City of Eustis, Florida; authorizing the City Manager to execute an addendum to a commercial lease agreement with the Lake Eustis Area Chamber of Commerce, Inc. for City-owned property at One West Orange Avenue.

Mr. Carrino reviewed the previously discussed addendum to the lease with the Chamber. He stated the addendum reduces the monthly rent to \$550 per month and amends the term of the lease to February 2024. He noted that an additional provision was added to allow the lease to

go to month to month if necessary. He indicated the City would be working with the Chamber to facilitate their relocation. He also reported that he and the Mayor would be meeting the next day with representatives of the Historical Museum.

Attorney Garcia opened the public hearing at 6:24 p.m. There being no public comment, the hearing was closed at 6:24 p.m.

A motion was made to approve Resolution 23-21. Motion made by Commissioner Hawkins, Seconded by Commissioner Ashcraft. The motion passed by the following vote:

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

Abstaining: Commissioner Cobb (Commissioner Cobb recused herself due to her husband serving as President of the Chamber.)

6.3 Resolution Number 23-22: Amending application form and eligibility requirements for Gateway Corridor Improvement matching grant program

Attorney Garcia announced Resolution Number 23-22: A Resolution of the City Commission of the City of Eustis, Florida; amending the application form and eligibility requirements for the Gateway Corridor Improvement Matching Grant Program.

Al Latimer, Economic Development Director, presented the amendments to the Gateway Corridor Improvement matching grant program. He reviewed the previously discussed recommendations for changes to the program and updates to the application. He explained that an Aesthetics Committee, consisting of three staff members, has been established to review the paint colors. He added that staff is recommending an increase to the overall maximum grant award from \$6,000 to \$7,500 and an increase in the maximum amount for landscaping from \$900 to \$1,125. He noted signatures will now be required on the application.

Commissioner Ashcraft asked about the landscaping maximum and why the City wouldn't allow them to go higher on that.

Mr. Latimer explain it can be set at whatever the Commission wants. The previous level was established by the Commission. In recognition of the increased pricing in the construction industry, staff is recommending a 15% increase to the \$1,035.

Mr. Carrino explained the original discussions when the program was established which acknowledged that landscaping is impactful but it was noted that it doesn't actually improve the structure.

The Commission discussed the City's desire to create a nice corridor and noted other beautification programs currently underway. It was noted that the amount could be increased in the future as City's funds increase. It was also noted that the \$1,125 is just the grant amount so the actual landscaping cost would be over \$2,000.

Attorney Garcia 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 to approve Resolution 23-22. Motion made by Commissioner Hawkins, Seconded by Commissioner Cobb. The motion passed on the following vote:

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

7. OTHER BUSINESS

7.1 Consideration of Organizational and Event Support Grants final recommendations

Mike Sheppard, Finance Director, reported on the final distribution of the grant funds and asked if the Commission had any changes they wanted to make to the distributions. He confirmed that the program is now strictly by reimbursement to increase accountability. He cited the presentations provided by the organizations at the workshop.

The Commission asked what Bay Street Players would be utilizing their funds for and it was explained it would be for the Young People's Theatre. The Commission then asked about the United Way with Mr. Sheppard explaining their intent was to distribute it to Eustis residents for utilities.

Commissioner Hawkins stated that would be a duplication of Lake Cares services.

Mr. Carrino noted that Act of Hope Ministries application was for back to school backpacks and it was determined that was a duplication. They were encouraged to work with Parks and Recreation. He indicated that if the Commission sees United Way as a duplication they can be removed from the list.

CONSENSUS: It was a consensus of the Commission to approve the grant list with the removal of the United Way.

Vice Mayor Lee noted the Commission does not need to be receiving emails in support of the programs.

Mr. Carrino noted that the Worth It outreach event has already occurred. He indicated that staff could contact them to go ahead and submit their receipts for payment.

Mr. Sheppard stated he would be contacting all of the applicants regarding submittal of their receipts and then he would be scheduling presentations for them to report to the Commission regarding their programs.

The Commission discussed the PAWS therapy dogs and agreed to increase their award to \$1,750.

7.2 Modification Request of the Elliano's Coffee landscape plan

Mr. Lane presented the modification request for the Elliano's Coffee landscape plan for 2520 S. Bay Avenue. He explained the original plan included 19 trees, 220 shrubs and seven water zones. It also has three stormwater areas. He reviewed the locations of the stormwater areas. He stated that the landscape plan only has a direct access to the stormwater pond on the northeast side along Bay Street. The other pond on the south part of Bay Street is completely surrounded by landscaping. He explained that the owner has expressed concern regarding maintenance of the landscaping in that area. She also is concerned that the shrubbery along the driving lane would scratch vehicles as it reaches maturity. He stated the proposal is for 16 trees, 88 shrubs and three water zones. He noted she is also proposing to put river rock in two areas.

The Commission asked about the purpose of the proposed revision to the landscape plan and noted that the plan was previously revised.

Mr. Carrino explained the plan was previously approved via resolution; therefore, they can provide a consensus at that time but it would have to be brought back and considered by resolution.

Glenn Tyre, owner of adjoining property to the north, noted that at the time of the original approval he had requested an extension of the four foot fence all the way to the road. He explained the problem with traffic pulling through their properties and dropping trash. He reiterated his request for adequate fencing.

Karen Webber, owner of Elliano's Coffee, cited issues with the General Contractor which resulted in their having to start over on the project. She indicated they would be providing landscaping along the fence and noted that they can't stop people from walking through the properties and dropping trash. She stated that Mr. Tyre is welcome to extend the fence the rest of the way down. She explained they had to build a four-foot retaining wall which resulted in part of the property being cemented over so they cannot put shrubs in that area. She indicated they also could not put landscaping where there is only eight inches between the fence and the parking spaces. She explained the problems with the seven water zones. She stated they want to keep the stormwater pond next to 19 with grass to improve the drainage. She added that the quote she received for the irrigation for the original plan was \$52,000. The quote for the slimmed down plan is \$22,000. She stated she would rather maintain a beautiful lot than overplant and not be able to maintain it.

Commissioner Cobb asked why the irrigation wasn't put it before the paving with Ms. Weber responding that they put in the jump pipes.

Commissioner Hawkins asked about the fencing with Ms. Weber responding there is vinyl fence along the west, and they put a partial fence along the north side, and then there will be a black chain link fence that will run down the west side in front of the retaining wall to Pinecrest.

The Commission confirmed the proposal is to eliminate three trees and where the shrubbery will be reduced. They asked about taking the fence up to Bay Street.

Ms. Weber explained she did not want to block her building by taking the fence up to Bay Street. She noted that the business is strictly a drive-through, not a walk up or sit down so they should not have people walking through their parcel.

The Commission compared the original plan drawing versus the proposal with discussion regarding the placement of the fencing, types of fencing and retaining wall.

Mr. Carrino asked if it would be possible to phase the landscaping with Ms. Weber responding that the irrigation would have to be installed for all of the landscaping. She commented on financial issues that arose after having to restart the project in October.

The Commission discussed whether or not to allow the proposed revision with Ms. Weber emphasizing that she definitely cannot place landscaping where they had to put in the concrete around the handicapped parking.

CONSENSUS: On a 4 to 1 vote, it was a consensus of the Commission to not allow the deviation from the plan.

7.3 Department Updates: Police and Fire

Mr. Carrino explained that based on discussion at the retreat, they will be providing brief updates by different departments at each meeting.

Fire Chief Mike Swanson reported they have run 652 calls so far this year. He commented on the call volume fluctuation. He stated that 75% of the calls are medical. He noted that the rescue truck is on the road; however, the ladder truck runs the bulk of the calls. The rescue truck has run 133 calls. He stated that they are at full staffing; however, one staff member is on light duty due to cancer and one person is out on maternity leave. He reported on their

succession planning efforts noting that Deputy Chief Scott Davis is nearing retirement with 30 years with the department.

Chief Swanson reported on various equipment improvements and noted that Lt. Sean Kelleher is working on training countywide and setting up various training sessions. He indicated the new tower truck will be ready in the next fiscal year. He commented on the increasing cost for engines and the need to plan for replacements. He indicated that the tower truck cost them approximately \$1.3 million but it would probably have cost \$1.7 or \$1.8 if they had waited.

The Commission asked about the department's morale with Chief Swanson indicating it has improved and the collective bargaining agreement has been approved. He noted they will begin working on the negotiations for the lieutenant's bargaining unit.

Mr. Carrino noted he would be requesting a shade meeting to discuss collective bargaining. He explaining that himself, the HR Director and the City's Labor Attorney are usually the bargaining team.

Police Chief Craig Capri reported they have increased the department to 44 sworn officers and responded to approximately 45,000 calls for service per year. He indicated they have six openings; however, four are currently in the academy leaving two open positions. He commented on their recruiting efforts including obtaining candidates from schools, churches and sponsorship program. He cited the addition of the K9 drug detection dog. He then commented on their various community engagement programs. He announced they started an honor guard program and reserve program to help offset gaps. He cited the creation of a mental health liaison by partnering with Lifestream with them covering the costs. He commented on the various issues in dealing with mental health issues. He reported code enforcement has been taken on by the department and stated they are focusing on nuisance problems. He announced they would be holding their first annual awards banquet on March 31st. He noted they would also be acknowledging various businesses and individuals in the community. He stated they initiated the Star Chase Program for high speed pursuits which are dangerous and deadly. He explained the program will shoot a GPA dart into the car and then the police back off and can locate it with the GPS. He expressed concern regarding reckless gun ownership and the need for education to control that.

Chief Capri announced that the new police app would be online within a couple of months to get updates from police and traffic updates. He commented on how the app will provide improved transparency and push information out to the public. He stated that the app is being funded through seized drug money.

The Commission confirmed it would be noticed in the City water bill and on social media. He commented on the possibility of hiring a social media specialist. He cited how great it is to work for the City of Eustis. He then announced they would be hosting the retiree HR218 breakfast once a quarter. He explained HR218 allows for police retirees to carry their firearm in all 50 states. He explained what is required for that. He emphasized the need to remain connected with the department's retirees. He stated a new detective will be joining the DEA task force in 60 days. He cited the possibility of initiating a motorcycle squad utilizing grant funds and cited how that would be used. He reported that they are planning to expand the SRO program and take over the two schools in 24-25. He commented on the department's investment in leadership and training and stated they have sent one person to the FBI academy, a second person to PERF in Boston, and Sgt. Carpenter to Polk County's leadership academy. He emphasized the need for good training and leadership development. He reported on their chaplain training program and noted they will be participating on April 15th in a community engagement forum with Dr. Randy Nelson.

The Commission asked about departmental moral. Chief Capri responded there will be some issues with pay. He cited the benefits in working for the City and complimented the Commission on their efforts to take care of the employees. He stated they will need to address the pay issue in the future.

The Commission asked about the bicycle program with Chief Capri commenting on the benefits to the program and how it has been utilized. He noted they will also be utilizing a hot dog truck.

8. FUTURE AGENDA ITEMS

9. COMMENTS

9.1 City Commission

Commissioner Hawkins reminded everyone about the upcoming jazz review at the high school on March 10th. He stated the sound system in the park was great for Georgefest and noted that the African American Heritage parade and festival were well attended. He also reminded everyone about the April 1st comedy show to be held in Ferran Park.

Commissioner Ashcraft commented on how great the Georgefest and Heritage Festival were and thanked all of the team members for their work. He reported that he spoke with a Lake Tech student who is working three jobs to attend a skills competition. He asked for the Commission to consider awarding the young man \$500 to attend the competition.

CONSENSUS: It was a consensus of the Commission for the City Manager to provide the \$500 from the grant funds for that purpose. Commissioner Cobb abstained due to her husband sitting on the board.

Commissioner Cobb complimented everyone on the Heritage Festival and Georgefest. She asked staff to bring up a picture of the land off of Estes. She indicated that her comments would have nothing to do with the proposed development. She indicated an area to the east on Estes Road in Lake Lincoln. She stated that whomever is developing the site has completely leveled it. She expressed concern noting that the City is part of Tree City USA and working with America in Bloom. She emphasized that the City needs to do better in protecting the environment.

Heather Croney, Senior Planner, explained that what is in the code does not strongly require tree preservation. She explained staff tries to encourage developers to preserve everything they can.

Discussion was held regarding saving the mature trees wherever possible and the possibility of revising the City's regulations concerning trees. It was noted that other cities require an arborist to inspect trees that a property owner wants to remove.

Ms. Croney cautioned that there are issues with the tree permits due to various state restrictions.

Commissioner Cobb asked staff to consider replacing the Edmunds software. She stated the software is not very user friendly.

Mike Sheppard, Finance Director, commented there are systems that are more integrated. He indicated that the City purchased Edmunds in 2013.

Discussion was held regarding having demonstrations of other software programs.

Commissioner Cobb commented on the need for the City to hire a Building Official and main inspector. She noted that the current official and inspector are contract employees.

Commissioner Hawkins announced that April 1st there would be a comedy show in Ferran Park.

Vice Mayor Lee also complimented everyone on Georgefest and asked if they had any numbers to report yet. She stated she heard a number of positive comments regarding the decor, the vendors and the entertainment. She asked about the electric car charging.

Mr. Carrino apologized for the delay in proceeding with charging for the service. He explained that most cities are charging 15 to 17 cents for car charging. He stated that the City's system will allow them to transition to a paid model. He indicated staff would proceed with getting that started. He added that staff was pulling the electric bills to try and determine what it costs the City.

Commissioner Cobb asked about the status of the solar powered charging station with Mr. Carrino responding it was donated to the City so they would have to check the history and see if there are any stipulations concerning its use or discontinuance.

Vice Mayor Lee reported that Lake Sumter State College is almost ready to proceed with the lineman and truck driving schools. She commented on the reduction in the stick-in signs.

9.2 City Manager

Mr. Carrino reported that Public Works has requested to hold a workshop on March 16th to discuss the Bates Avenue Wastewater Treatment project. He proposed that it be held at 5:30 p.m. He noted that there will also need to be a shade meeting to discuss collective bargaining.

CONSENSUS: It was a consensus to hold the LPA meeting at 5:30 p.m., to incorporate the discussion on the Bates Avenue wastewater treatment project as part of the regular Commission agenda and the shade meeting would be held following the regular meeting.

Mr. Carrino then asked to schedule a workshop to discuss the fairgrounds property including what would constitute an offer on the property and what would be the plan for use of the property.

CONSENSUS: It was a consensus of the Commission to hold the fairgrounds workshop on April 20th at 5:00 p.m.

Mr. Carrino noted they will need to hold a workshop on the Cemetery in the future. He then announced that the City has received a request from Public Risk Management to prepare a letter opposing any changes to sovereign immunity. He explained the City has certain caps to liability for certain incidents and there is legislation being proposed at the state level proposing to raise the caps.

CONSENSUS: It was a consensus of the Commission for Mr. Carrino to prepare the requested letter.

Mr. Carrino expressed thanks to City staff on the excellent Georgefest. He reminded the Commission he would be out of the office from March 12-16th but he would be back for the Commission meeting.

9.3 City Attorney

Attorney Garcia announced she would like to do a presentation regarding Sunshine Law updates. It was agreed that she would do the presentation as part of the regular Commission meeting on April 6th.

Commissioner Cobb asked about a letter of support requested by Kathy Jenkins with SECO.

Mr. Carrino indicated he would check on it.

9.4 Mayor

Vice Mayor Lee commented on the excellent turnout for the African American Heritage Festival.

Mayor Holland expressed thanks to all of the staff involved with Georgefest and the Heritage Festival. He cited all of the departments involved with the events.

Mayor Holland stated the City needs to stay together so they can move together.

10. ADJOURNMENT: 7:59 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