



# MINUTES

## City Commission Meeting

6:00 PM – Thursday, August 01, 2024 – City Hall

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**INVOCATION: MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE: VICE MAYOR EMILY LEE**

**CALL TO ORDER: 6:00 P.M.**

**ACKNOWLEDGE OF QUORUM AND PROPER NOTICE**

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

**1. AGENDA UPDATE: NONE**

**2. APPROVAL OF MINUTES**

July 9, 2024 City Commission Budget Workshop

July 18, 2024 City Commission Meeting

Motion made by Commissioner Hawkins to approve the Minutes. Seconded by Commissioner Ashcraft. Motion passed on the following vote:

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

**3. PRESENTATIONS**

3.1 Rafiki Classical Academy - Vice-Mayor Emily Lee has invited Rafiki Classical Academy to present to City Commission

Karen Elliott, Executive Director of the Rafiki Foundation, provided an overview of their work both in Africa and in Eustis. She reported on their new Rafiki Classical Academy and their plan to build a permanent school on their site. She explained their goal is to help children in need and to help them know God. She cited the number of people they employ both in Eustis and in Africa. She presented a short video on their programs. She commented on their school and the store which features goods from the widows in Africa.

3.2 Altumint Presentation - Representatives of Altumint will be present to give an update on the school zone camera program and answer any questions

Craig Capri, Police Chief, provided an update on the City's school zone camera program. He indicated the program will be re-activated the first day of school - August 12th. He noted there are two new locations being added. He confirmed there will be a 30-day warning period for the new locations. He indicated there were some public service announcements currently being done to remind the public about the cameras. He cited a student hit the previous school year while in the crosswalk. He confirmed that the cameras are only active during the school hours - 7:30 a.m. through 4:00 p.m. He added that the citations are not issued unless the vehicle is doing at least 11 miles per hour over the 20 mph while the lights are flashing. He confirmed that the cameras stop earlier on early release days. He added they are still working with FDOT to get the cameras placed on Bay Street.

Chief Capri noted there were people that had multiple citations and those were reduced to one each. He said that most of the people have been supportive of the program.

Vice Chair Lee expressed concern regarding how late the lights are flashing on Orange Avenue. She indicated she was informed it was because of after school activities.

Discussion was held regarding how late the cameras should be active.

Chief Capri indicated the first hearing for appeals would be held on August 12th with the Code Enforcement Board. He explained they would begin using the Code Board but if that doesn't work well they would have to come back to the Commission to switch to a magistrate.

Discussion was held regarding utilizing the Code Board versus a magistrate.

**CONSENSUS:** It was a consensus of the Commission for staff to proceed with the necessary changes to allow the use of a magistrate.

Chief Capri commented on the number of other communities going to the school zone speeding cameras. He confirmed that there are no points assessed and it is a \$100 civil citation; however, if they don't pay it then it goes to the State and a uniform traffic citation is issued and then points would be assessed.

Commissioner Hawkins asked how many other communities Altumint services with Holly Cooper, Altumint CEO, responding they are working with 70 communities throughout the U.S.

Commissioner Hawkins asked if all 70 cities have their citations sent to the same address with Ms. Cooper responding that each city has a separate lock box. She stated that each payment is processed the same day it's received. She noted that all of the correspondence is not necessarily payments but may also be hearing requests, etc. Commissioner Hawkins then asked how long it typically takes if someone sends a check to Atlanta with Ms. Cooper responding it is processed the same day. She indicated any delay is usually due to delays in the postal services.

Commissioner Hawkins cited a specific case and questioned why a payment may not have been processed with Ms. Cooper responding the lockbox probably didn't receive it. She stated the best way to pay to ensure timely application of the payment is either by phone or make a pay-by-web payment. She indicated she could have the Customer Service team check on a specific case if necessary.

Commissioner Ashcraft asked if they are sent a nonpayment notice with Ms. Cooper responding they are not sent a second notice. She explained a single notice gets sent the first time and, after the 30 days which is the legislative trigger for the UTC to be issued, they can no longer accept payment because then the payment is processed through the court system. She indicated they had worked with EPD to extend the time period for issuance of the UTC (uniform ticket citation).

Commissioner Hawkins expressed concern about an individual not getting a response or notice but then they get a letter from the Clerk of Court saying their license is going to be suspended.

Ms. Cooper indicated that they can call to verify if their payment has been received. She indicated that if they have received the UTC and they have proof of mailing, they can get the UTC dismissed. She stated that they have actually gone back and given some grace on a few of them and removed the UTC's from processing.

Commissioner Hawkins explained he just wants to insure that the City is getting the same service as they provide to their other 69 clients with Ms. Cooper explaining that the process is different in Florida than in some other states. She stated that some states require a second notice to be sent and some even require a third notice. She suggested that the City could modify its process to have a second notice sent. She noted there would be a cost to that and it is not required under the state statute.

Commissioner Hawkins asked if the ticket says that points will be assessed with Ms. Cooper responding that it says a uniform ticket will be issued if it is not paid and a uniform ticket does assess points.

Commissioner Hawkins expressed concern regarding the length of time required to process payments and noted that the Clerk of Court indicated there have been numerous issues. He was also concerned regarding the length of time to process the affidavit. He commented on the difficulties facing residents if their license is suspended.

Chief Capri indicated that, inhouse, they can handle contacting individuals regarding not paying within 30 days prior to issuing a state citation.

Ms. Cooper commented on the number of people who aren't paying in a timely manner.

Chief Capri indicated it is possible to do the phone calls and the number should get less and less.

Discussion was held regarding the possibility of people having their license suspended and whether or not to do phone calls or send out additional reminders.

Commissioner Hawkins commented on the difficulty in reading the citations due to the small type and expressed concern about the delays.

Ms. Cooper explained the payment process is through Capital One Bank who handles lock boxes for thousands of companies. She indicated she would check with them to make sure they are processing the payments as they are supposed to. She confirmed they would continue to accept checks for payment.

### 3.3 Johnson's Point Septic to Sewer Project

Greg Dobbins, Deputy Public Works Director for Utilities, reported that the City was awarded a \$100,000 septic to sewer grant through Lake County. He reviewed the options for the project and the various advantages and disadvantages. He asked for direction from the Commission on how to proceed.

The Commission confirmed that implementing the \$1.2 million option would allow for providing sewer to more areas in the future.

Tom Carrino, City Manager, indicated that to do the \$1.2 million option would require a funding package with probably some grant applications. He noted that the funding would be from the Water/Sewer Fund, not the General Fund. He stated that the goal is to get residences off of septic and onto sewer. He explained the issue with the use of the grinder pumps, which is the least expensive solution.

The Commission asked if the residents would participate in the \$1.2 million option with Mr. Carrino stating they would through connection fees and impact fees but not the overall capital cost.

Mayor Holland recommended that staff look at what grant packages may be available and bring that back to the Commission for consideration.

The Commission asked if the developers would participate with Mr. Carrino explaining that the individual who purchased the development has proposed the installation of the seven grinder pumps.

Mr. Dobbins explained the \$100,000 in grant money is for the installation of a two-inch force main.

Further discussion was held regarding available grant funds to get homes off septic and onto sewer. Mr. Carrino indicated that applying for grants will take some time and the subject site may have issues if their septic fails.

Discussion was held regarding the cost per residence and whether or not the City has done that for anyone else with Mr. Carrino explaining that, in a development, the City makes the developer pay for the sewer. For existing residences already in the City, it is only the one residence.

Rick Gierok, Public Works Director, explained how and why the City received the \$100,000 grant and the issues with use of the grinder pumps. He further explained his hesitancy in using that system and how staff began looking at the project with the possibility of upsizing the project. Further comments were made regarding funding and how septic tanks are flowing into Lake Yale which is an already impaired water body.

The Commission asked how many homes would be serviced if they utilized the \$1.2 million option with Mr. Gierok responding 60 residences.

The Commission expressed concern regarding only being able to serve another 60 homes for \$1.2 million.

CONSENSUS: It was a consensus of the Commission for staff to move forward with the second option costing \$300,000.

### 3.4 Presentation on Conceptual Design for Greenwood Cemetery

Rick Gierok, Public Works Director, introduced Ray Lopez, Kimley Horn, who provided a review of the design package for Greenwood Cemetery and the proposed tree plant palette. He cited the need to use as many native species as possible.

The Commission expressed appreciation for all of the work on the design plan.

Mr. Gierok asked Mayor Holland regarding the orientation of the gravesites with Mayor Holland responding that it has changed over the years and it should run with the land.

### Recognition of Retiring Human Resources Director Bill Howe

Mr. Carrino read a commendation recognizing Bill Howe upon his retirement.

Bill Howe commented on his nine years with the City of Eustis. He stated he would miss both the people and the job and thanked Mr. Carrino, the Commission and City staff for their support.

## **4. AUDIENCE TO BE HEARD**

Kalin Ellison addressed the Commission regarding the Magic Boys event. He indicated that Lake County Tourism has reached out to him due to the number of people his event attracts to the area. He emphasized his desire to hold a safe event. He thanked the City for its assistance and noted they are sponsoring a back to school event on Sunday at the fairgrounds with approximately 300 to 400 students to attend. He thanked the City for its participation in that event and assured the City of his desire to stay in compliance with the City's regulations.

Bryan Broomfield thanked the Commission, City Manager and police officers for participating in the St. James AME Community Day. He commented on presidential candidate Donald Trump's attendance at a conference hosted by the National Association of Black Journalists. He further commented on the definition of diversity, equity and inclusion and the need for that to be recognized.

Gail Isaac Thomas announced that the next comedy night would be on October 12th at the Hideaway Performing Arts Center in the Big Lots shopping center. She indicated they would be celebrating the House of Laughter's ninth anniversary.

## 5. **CONSENT AGENDA**

5.1 Resolution Number 24-55: Approving a Purchasing in Excess of \$50,000 for New Flooring in the Events Department

5.2 Resolution Number 24-63: Professional Landscape Architectural Services for Greenwood Cemetery's Tranquil Gardens and Estate Plots Improvements

5.3 Resolution Number 24-68: Amendment to the City of Eustis/UCF Partnership Agreement

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

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

## 6. **ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS**

6.1 Resolution Number 24-41: Approving a Site Plan with Waivers for a Self-Storage Facility at David Walker Drive and Huffstetler Drive (Alternate Key Number 3853069)

Derek Schroth, Assistant City Attorney, announced Resolution Number 24-41: A Resolution of the City Commission of the City of Eustis, Florida; approving a site plan with waivers for a self-storage facility on approximately 1.07 +/- acres located at David Walker Drive and Huffstetler Drive (Alternate Key Number 3853069).

Jeff Richardson, Development Services Deputy Director, noted that the project was previously presented to the Commission in May; however, it was tabled with a request for some changes. He reviewed the proposed site plan and requested waivers as follows: 1) Waiver to Section 115-6.1(a) Building Facade to allow for no designated/defined building entrance for the commercial buildings; 2) Waiver to Section 115-6.1(d) Building Features to allow the spandrel-type of faux windows on the street and plaza entrance facing the building facades; 3) Waiver to Section 115-6.1(e) Orientation to allow for no designated/defined building entrance; and 4) Waiver to Section 115-6.1.2(b) Metal Buildings to allow for the use of metal buildings along the David Walker Road frontage. He explained that metal buildings are allowed on Dillard but not on David Walker and the property is on the corner of both so the waiver is needed.

The Commission asked the closest building that is metal with Commissioner Ashcraft indicating there are some down Huffstetler.

Commissioner Ashcraft asked if the landscaping is going to make it difficult to see traffic with Mr. Richardson responding that the stop bar will be out past the landscaping.

The Commission questioned the impact on traffic and cited issues at Huffstetler and David Walker with Mr. Richardson indicating that storage facilities do not have a heavy traffic impact.

Discussion was held regarding the ingress/egress with Michael Carter, applicant, indicating that it would require turning lanes to exit onto David Walker instead of into the parking lot.

Mr. Richardson indicated that the project conforms to the City's regulations and expressed staff's recommendation for approval.

Attorney Schroth opened the public hearing at 7:29 p.m. There being no public comment, the hearing was closed at 7:29 p.m.

Vice Mayor Lee and Commissioner Hawkins expressed concern regarding the congestion in the parking lot.

Mr. Carter indicated that almost any other commercial use would create more traffic than this use would.

Motion made by Commissioner Ashcraft to approve Resolution Number 24-41. Seconded by Mayor Holland. The motion failed on the following vote:

Voting Yea: Commissioner Ashcraft

Voting Nay: Commissioner Hawkins, Vice Mayor Lee, Mayor Holland

## **6.2 SECOND READING**

Ordinance 24-29: Amending Eustis Firefighter Pension Board Trustee Terms in Chapter 70, Article III, Section 70-61.5- Board of Trustees of the City's Code of Ordinances

Attorney Schroth read Ordinance Number 24-29 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending Chapter 70, Pensions and Retirement, Article III, Municipal Firefighters/ Pension and Retirement System, Section 70.61.5 - Board of Trustees of the Code of Ordinances of the City of Eustis; and providing an effective date.

Attorney Schroth opened the public hearing at 7:33 p.m. There being no public comment, the hearing was closed at 7:33 p.m.

Motion made by Commissioner Ashcraft to adopt Ordinance Number 24-29 on final reading. Seconded by Commissioner Hawkins. Motion passed on the following vote:

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

## **6.3 SECOND READING**

Ordinance 24-30: Amending Eustis Police Pension Board Trustee Terms in Chapter 70, Article IV, Section 70-115- Board of Trustees of the City's Code of Ordinances

Attorney Schroth read Ordinance Number 24-30 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; amending Chapter 70, Pensions and Retirement, Article IV, Municipal Police Officers' Pension and Retirement System, Section 70-115 - Board of Trustees of the Code of Ordinances of the City of Eustis; and providing an effective date.

Attorney Schroth opened the public hearing at 7:34 p.m. There being no public comment, the hearing was closed at 7:34 p.m.

Motion made by Commissioner Ashcraft to adopt Ordinance Number 24-30 on final reading. Seconded by Commissioner Hawkins. Motion passed on the following vote:

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

## **7. OTHER BUSINESS**

### 7.1 Commission Appointment Discussion regarding the appointment process for the Seat 4 vacancy

Mayor Holland stated he had asked to have this on the agenda. He indicated he would recommend waiting until the September 5th meeting to make a decision. He asked Attorney Schroth about the requirements in the charter.

Attorney Schroth responded that the charter only states that the Commission "shall" appoint. He indicated that the Commission has a great deal of latitude; however, there is a "reasonableness" component.

Mr. Carrino reminded the Commission that the next meeting would not be until September 5th.

Vice Mayor Lee questioned the amount of time that would be needed to advertise with Mary Montez, Deputy City Clerk, indicating it wouldn't take too long to be able to submit the advertisement for publication. She stated staff could go ahead and format an advertisement for publication once a decision was made. She suggested that a special meeting could be held after qualifying closes on August 9th to make a final decision on whether or not to open it up to applications.

Discussion was held regarding whether or not to open up to applicants or to appoint the candidate if there is only one candidate for Seat #4.

**CONSENSUS:** It was agreed to wait until qualifying is closed to schedule a special meeting in order to make a final decision.

### 7.2 Discussion of City Manager's Performance Evaluation Process

Bill Howe, Human Resources Director, explained the Commission is required to annually review the City Manager's performance. He indicated he had provided copies of the form previously used and asked whether or not the Commission wanted to make any changes to the form. He noted that the previous year the Commission had him schedule individual meetings with each of the Commissioners and the City Manager, after which a public review was conducted.

**CONSENSUS:** It was a consensus of the Commission to utilize the same form and process for the City Manager's annual review.

## **8. FUTURE AGENDA ITEMS AND COMMENTS**

### **8.1 City Commission**

Commissioner Hawkins thanked the Eustis Police and Fire Departments for the One Blood event - Battle of the Badges. He noted that the Commission agreed previously to provide a donation to the young lady attending the Junior Olympics. He found out she placed 17th in the Junior Olympics and indicated he would invite her to attend a meeting.

Commissioner Hawkins noted that the City Manager had asked if he wanted to meet with him and the new Assistant City Manager. He stated that he declined that opportunity and indicated that is not the Commission's job.

Mayor Holland indicated he had told the City Manager the same thing.

Commissioner Hawkins noted he had been approached by someone about why they did not have a speed bump on their road. He stated he had explained it does not meet the test for a speed bump and it was only a 400 foot street. He commented on the response he received

from the resident and noted he had invited him to attend a meeting. He expressed concern about a resident stating the Commission is corrupt. He expressed support for residents with issues to attend the Commission meetings.

Vice Mayor Lee noted a complaint she received from a resident, first about something being stolen from their property, and then about trash not being picked up in their neighborhood. She stated she asked the Police Chief to contact the resident but they told the Chief they didn't have time to talk to him. She commented on the threats and rude tone of the complainant and the lack of respect.

The Commission encouraged residents to come to meetings to address complaints rather than being rude. It was noted how much trash the individual Commissioners have picked up in the communities during clean up days.

Vice Mayor Lee commented on her efforts to support education in the community. She emphasized the need for more education and job training and the need to focus on children. She explained why she invited the Rafiki School to present to the Commission. She also cited Lake Tech and the programs they offer. She emphasized the need to build up adult education as well. She thanked W.I.N.1 Ministries for their events.

Commissioner Hawkins noted the KTE Foundation held a basketball camp at Parks & Recreation. He indicated that NBA professional basketball player Keon Ellis would be present the next day and would be presenting a signed ball to the high school and a signed poster to Parks and Recreation. He added that he would also be present at the backpack giveaway.

Mayor Holland asked Chief Swanson to report on an event. Chief Swanson stated that one of the City's employees has a daughter with a health issue and they would be holding a fundraiser on August 18th to assist them.

Mayor Holland encouraged Chief Swanson to approach the Commissioners for anything they need for the event. He then encouraged all of the directors to inform the Commission about any events they are participating in.

## **8.2 City Manager**

Mr. Carrino announced the August 15th meeting was cancelled due to the League of Cities conference. He reported on staff working on compiling additional information for the Commission in order to make a decision about the eastern water plant. He indicated his belief that the County's land uses around that plant are important to that decision. He added that he would be providing information regarding the cost for an appraisal of the plant.

Chief Swanson announced that Governor DeSantis had declared a State of Emergency due to the approaching storm and anticipated rainfall.

## **8.3 City Attorney**

Attorney Schroth congratulated Bill Howe on his retirement.

## **8.4 Mayor**

Mayor Holland announced that Eustis Elementary School would be celebrating its 100th anniversary. He indicated he was going to ask the City Manager identify some funding that the City could possibly donate for the event. He then announced that the next Thursday would be the pep rally for kicking off the new school year. He encouraged people to attend the school sporting events.



**9. ADJOURNMENT: 8:06 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](http://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.*

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CHRISTINE HALLORAN  
City Clerk

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MICHAEL L. HOLLAND  
Mayor/Commissioner