



# MINUTES

## City Commission Meeting

6:00 PM – Thursday, February 16, 2023 – City Hall

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**INVOCATION: PASTOR RENEE HILL, WIN 1 MINISTRIES**

**PLEDGE OF ALLEGIANCE: COMMISSIONER HAWKINS**

**CALL TO ORDER: 6:20 P.M.**

**ACKNOWLEDGE OF QUORUM AND PROPER NOTICE**

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

**1. AGENDA UPDATE: NONE**

**2. APPROVAL OF MINUTES**

**2.1 Approval of Minutes**

January 5, 2023 City Commission Meeting

January 19, 2023 City Commission Meeting

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

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

**3. PRESENTATIONS**

**3.1 Eustis Transmission Project: Nancy Dodd, Duke Energy**

Nancy Dodd and Chris Tietig from Duke Energy reviewed the Transmission Reliability Project to be completed within the City of Eustis. Ms. Dodd provided a summary of the project and explained it would run for approximately four miles from the Dona Vista substation to the substation off of Lemon. She indicated the project would include pole replacements and some construction in the downtown area. She explained it actually would be broken into two projects known as Eustis to Dona Vista and Eustis to Eustis South. She stated that the transmission line currently located in Ferran Park would be completely removed from the park; however, the distribution lines would still be there. She assured the Commission that the project would not be worked on during the 2024 Georgefest.

Ms. Dodd commented on the work being currently done and provided details pertaining to both portions of the project. She thanked Public Works for their assistance with the project. She discussed the timeline beginning in Summer of 2022 through Spring 2024. She noted that the project will impact Downtown Eustis and Ferran Park. She explained that the project will help to harden the infrastructure against storms. She explained how they will be distributing information regarding the project. She added that aesthetic work will also be done to make the project look better. She emphasized that the project will have an impact on Ferran Park.

The Commission asked about a possible conflict with the FDOT project in 2024 with Ms. Dodd indicating they have been in contact with them. She stated they would stay in contact with FDOT to try and coordinate their projects.

The Commission asked if the work in Ferran Park will be scheduled during their "low season" with Ms. Dodd indicating they would try to avoid the major events in Ferran Park.

Vice Mayor Lee asked about Duke Energy's tree trimming process with Ms. Dobb explaining that they are reviewed in a cycle and are examined by an arborist. She added that if there are a number of outages and issues on a line then a tree may be cut back more significantly.

#### **4. APPOINTMENTS**

##### **4.1 Re-Appointment to Code Enforcement Board – Stephanie L. Carder**

A motion was made to reappoint Stephanie Carder to the Code Enforcement Board. Motion made by Vice Mayor Lee, Seconded by Commissioner Hawkins. Motion passed by the following vote:

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

#### **5. AUDIENCE TO BE HEARD**

Martin Gill commented on the situation where the home next to his caught fire and the City granted them permission to live in the camper on the property. He complained about the noise and other issues with the situation and stated they are working late in the evening. He asked that they reconsider the decision. He indicated he has contacted an attorney regarding the situation.

Mayor Holland asked Mr. Carrino to reach out to Mr. Gill to discuss the issue and report back to the Commission.

Brian Broomfield commented on DEI (Diversity, Equity and Inclusion) defined as a conceptual framework that "promotes the fair treatment and full participation of all people especially in the workplace including populations who have been historically under-represented or subject to discrimination due to their background, identity, disability, etc." He explained the differences between diversity, equity and inclusion. He stated he is a proud Eustis resident and of being represented by the City's Commission and cited its diversity. He complimented the City and Commission on the diversity and thanked them.

Pastor Richard King spoke about the open-mindedness of Chief of Police Craig Capri and his efforts to engage the community and make Eustis safe. He announced they are jointly partnering to present a community safety and engagement forum on April 15 at the Eustis Women's Club, 9 am - noon. He explained the purpose of the program to develop a plan to deal with crime, even before it happens, within the City. He stated that Dr. Randall Nelson would be the facilitator.

Donna Manning, resident of Sharps Park, expressed concern regarding their monthly utility rate increases. She stated that the rate has been increased each month since December. She indicated that each tenant is now paying \$85 per month for water. She stated they are charging a water utility usage fee and a sewer utility usage fee. She cited the increases over the past several months.

## **6. CONSENT AGENDA**

### **6.1 Resolution Number 23-19: Forfeited Funds Expenditure**

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

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

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

### **7.1 FIRST READING**

#### **Ordinance Number 23-04: Amending Fire Pension**

Sasha Garcia, City Attorney, read Ordinance Number 23-04 by title on first 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, Sections 70-62(b), 70-67(a) and 70-70-71(b)(1), of the Code of Ordinances of the City of Eustis; providing for codification; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date.

Mike Sheppard, Finance Director, explained the changes to the code under the ordinance. He stated the actuary will be preparing the impact statement based on the ordinance and that will be sent to the State for review. Once it comes back from the State, it will be brought back on second reading.

Attorney Garcia opened the public hearing at 6:48 p.m. There being no public comment, the hearing was closed at 6:48 p.m.

A motion was made to approve Ordinance 23-04 on first reading. Motion made by Commissioner Cobb, Seconded by Commissioner Ashcraft. Motion passed on the following vote:

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

## **8. OTHER BUSINESS**

### **8.1 Discussion: Revised Florida Department of Transportation Local Funding Agreement for S.R.-19**

Rick Gierok, Public Works Director, reviewed the project and noted the workshop on the project held in December 2022. He stated that DOT is done with the plans and they are beginning to draft the local funding agreement. He explained one of their questions dealt with the use of stamped asphalt. He explained that DOT does not use brick pavers or stamped asphalt for their work; therefore, they would be looking to the City of Eustis to pick up the cost of two items.

Mr. Gierok indicated that the first item deals with the existing bricks on Magnolia. He explained that part of that will have to be brought up due to the intersections being raised at Magnolia and both Grove and Bay Street. He indicated that the grade has to be brought back a little bit. DOT has proposed to just use asphalt. They have provided a price to remove the bricks and then replace them after the grading of \$21,000 for both intersections. He indicated that is a competitive price.

Mr. Gierok then stated the second item is to do the stamped asphalt on the crosswalks. He explained that when they did the stormwater project, they redid some of the asphalt with stamped asphalt crosswalks and indicated they only lasted about five years and then faded out. He stated that, if the City wants to use the stamped asphalt, they would have to pay the cost. He indicated that they would probably have to redo them every five to seven years. He stated it would involve the northbound crosswalks at Orange, Magnolia, McDonald, Clifford and Gottsche and southbound would be Orange, Magnolia, McDonald and Clifford. He added the price to do that would be \$222,495, and indicated that, if they decide to do that, he would have to include in the capital budget a five-year line item to do it again.

Mr. Gierok then stated, that to cover the cost, he has a line item in 2024-25 to do the smart signals for Orange Avenue. However, those signals are going to be updated in the DOT scope of work at no cost to the City. The funds are in the same budget year and could be utilized to do the initial stamped asphalt with additional funding left over as well as the brick. He estimated a total cost of \$243,000 and there is \$400,000 budgeted for the smart signals. He explained the only alternative would be regular asphalt as DOT does not allow brick in their crosswalks.

The Commission asked if heavy traffic and equipment would shorten the life of the stamped asphalt with Mr. Gierok indicating heavy traffic definitely wears on asphalt. He added that he did not think there would be a significant increase in trips to create more wear.

The Commission discussed whether or not to include the stamped asphalt in the agreement due to the short timeframe it would be viable. Mr. Gierok explained that as it aged the pigment would fade but the asphalt would remain intact. Discussion was held regarding carrying forward the remaining funding for replacement when needed with Mr. Gierok explaining that they would go out for an RFQ when it needs replacement.

**CONSENSUS:** It was a consensus of the Commission to include the stamped asphalt in the agreement with FDOT.

## 8.2 Discussion of Chamber of Commerce Lease

Mr. Carrino reviewed the various maintenance issues with 1 W. Orange Avenue. He indicated that the floor is failing and cited issues with dampness from the lake. He noted that there are areas of the building that have limited use. He explained that the Chamber has requested that the City reduce the rent from \$800 to \$400 per month due to the issue. He stated that the City is having a structural engineer evaluate the building. He indicated that the City previously received a cost estimate of \$180,000 to improve the building; however, at that time staff determined that was cost prohibitive. He stated the question is whether they are willing to consider a reduction in the rent while the City is hiring the structural engineer and developing options for remediating the problems. He cited information included in the packet and reviewed statistics of the building and lease agreement. He added that, if they are willing to reduce the rent, staff will bring back a resolution amending the lease agreement.

The Commission asked if there was a previous reduction in the rent with Mr. Carrino indicating that the initial rent amount was below market value. He stated that the current rent is approximately 33 cents per sq. ft. or just under \$2 per sq ft. annually which is significantly below market for lakefront space.

Mayor Holland confirmed that Commissioner Cobb would have to recuse herself due to her husband serving as president of the Chamber of Commerce.

Commissioner Cobb commented that to her the decision is about the building itself and whether to keep it. She indicated that the building otherwise needs to be maintained. She

emphasized that the City needs to decide how much money they are willing to put into the building. She cited the possibility of the City helping them to relocate. She suggested they could share space with the Historical Society who does not pay any rent.

The Commission discussed the need to make a decision regarding the building itself, whether or not the rent could be reduced and whether or not the Historic Museum would be a good interim location for the Chamber.

Discussion was also held regarding whether there is another location the Chamber could rent, not necessarily from the City, that would keep them downtown.

Mr. Carrino asked Rick Gierok to comment on how long it would take to get a structural engineer and have the building evaluated.

Mr. Gierok reported that in 2012 when LEMA contracted for use of the building it was determined that the building had sunk seven inches over the length of the building. He explained that, at that time, the oak floors were installed and other steps were taken to reduce the water infiltration issues. He stated additional flooring was installed in 2018/2019. He indicated that there is a maximum of two feet between the water level and the finished floor. He explained that the concrete acts like a wick and brings up the moisture. He then explained staff obtained an estimate from Evergreen for approximately \$183,000 to install a floating floor and waterproof everything. He indicated it was brought to the Commission for discussion only and it was determined to just patch the flooring with the assistance of the Chamber. He questioned whether or not the building is worth \$183,000.

Mr. Gierok stated he is now reaching out to Universal Engineering with the idea of installing pizometers around the building to determine where the water is coming from. He stated that if the problem is the lake level then there is nothing the City can do to resolve the issue. He suggested they may be able to provide a short term fix for less money. He indicated that it will take a few months to get it done and obtain a report. He noted that the \$183,000 estimate is five years old and prices have gone up since then.

Commissioner Ashcraft asked about the original lease and whether or not the rent was set low due to the condition of the building.

Mr. Carrino responded that the City looked at the Chamber as a partner in economic development and they felt it was a good idea to have them in the downtown.

The Commission questioned why they now believe \$400 is a reasonable rent.

Tammi Roundtree, Executive Director, explained they felt that if they have to relocate they need to save as much money as possible for that purpose. She stated that Alpha Foundations did examine the building but did not provide a full report. They indicated the building is not sinking into the lake as there are no cracks in the stucco. She commented that, when they moved in, they saw the underflooring is all patchwork and is sitting up on girders and it is now falling between the girders. She expressed support for them staying in the downtown area. She admitted they have been looking at other locations but there is little available. She confirmed they are using the front portion of the building for storage with the offices toward the lake.

The Commission commented on additional issues with the water level and questioned how much the study will cost.

Mr. Gierok estimated the study would cost approximately \$7,000 to \$8,000.

Stephanie Carder, Chamber Board member, questioned if there was an irrigation leak under building with Ms. Roundtree explaining what occurred. She noted that where it is wet is the front of the building.

Further discussion was held regarding the flooring and water issues.

The Commission discussed whether it was doable to relocate the Chamber to the museum. It was questioned as to whether or not the City owns the museum contents and how long it would take to do.

Mr. Carrino and Mr. Gierok reported a contractor was currently working on the roof due to hurricane damage. It was noted that the roof is scheduled for replacement in two years.

The Commission questioned what it would cost to repair the Chamber building with Mr. Gierok estimating at least \$280,000.

The Commission further discussed whether or not to reduce the rent as requested.

It was suggested they consider reducing the rent to \$550 for the next year. It was also suggested the City could move forward with building a new public safety building with available federal grant money and the Chamber could then be relocated to the old police department.

CONSENSUS: It was a consensus of the Commission to bring back a resolution reducing the rent to \$550 per month. It was also a consensus to not proceed with a study on the 1 W. Orange Avenue building.

CONSENSUS: It was a consensus of the Commission for the Mayor and City Manager to meet with the Historical Museum to discuss sharing that building with the Chamber temporarily.

Mr. Carrino confirmed that staff would begin moving forward with grant applications and plans for construction of a public safety facility.

## **9. FUTURE AGENDA ITEMS AND COMMISSION COMMENTS**

Commissioner Cobb thanked everyone who assisted with the clean-up. She expressed concern regarding civic apathy and lack of civic pride. She expressed anticipation in participating in the African American Festival banquet and parade. She also commented on the upcoming Georgefest activities.

Commissioner Ashcraft expressed excitement about the upcoming activities and noted that he heard Georgefest advertised on the radio.

Commissioner Hawkins commented on the cleanup and asked if additional "no littering" signs could be installed. He thanked Rick Gierok and his team for all of their work. He then commented on the funeral for homeless resident Clyde and cited the number of firemen in attendance. He noted that County Commissioner Campione also assisted with the cleanup. He thanked everyone that will be attending the African American Heritage Festival banquet and parade.

Vice Mayor Lee asked if they could help improve community pride by putting up signs encouraging people to not litter. She emphasized the amount of trash picked up during the clean up. She then commented on the number of cars being parked on Kurt Street and questioned what can be done.

Mr. Carrino indicated the business is in Lake County but the right-of-way is City. He commented on police efforts to resolve the issue.

## **10. COMMENTS**

### **10.1 City Manager**

Mr. Carrino related an anecdote with a small boy questioning why the Commissioners and City staff were doing the clean up. He indicated they have to work to change the mindset of the community.

Commissioner Hawkins gave kudos to Police Chief Craig Capri regarding the officers being located at the schools. He stated that school administrators have indicated that the City's officers have more connection to the students than the Sheriff's officers that have been at the schools.

Mr. Carrino noted he sent the Commission and leadership team a summary from the retreat with actionable items. He thanked the Commission for their support and kind words at the retreat. He announced that the City will have a booth at the African American Heritage Festival and that HR would be there with information regarding job openings as well as at Georgefest.

Mr. Carrino thanked staff, the Commission and everyone else for their participation and work on the Georgefest events. He announced he would be on vacation in mid-March for spring break and requested that Bill Howe act as Acting City Manager during his absence.

CONSENSUS: It was a consensus of the Commission for Bill Howe to serve as Acting City Manager.

### **10.2 City Attorney**

Attorney Garcia had no comments.

Commissioner Cobb asked about the status of letters the Commission had requested regarding individuals being very accusatorial about the Commission supposedly accepting money from developers.

Attorney Garcia indicated it was one letter and she would confirm it had been done and, if not, make sure it would be sent out as soon as possible.

### **10.3 Mayor**

Mayor Holland encouraged everyone to come out for the African American Heritage Festival and cited the Georgefest activities. He encouraged that everyone attending bring a non-perishable food item for distribution to Lake Cares food pantry.

## **11. ADJOURNMENT: 7:54 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