



MINUTES

City Commission Meeting

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

INVOCATION: MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE: COMMISSIONER GARY ASHCRAFT

CALL TO ORDER: 6:02 P.M.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

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

1. AGENDA UPDATE

Tom Carrino, City Manager, announced that he would provide a presentation on the traffic study recently completed and its analysis by the Police Department. He asked to present that prior to Audience to be Heard.

2. APPROVAL OF MINUTES

2.1 Approval of Minutes

October 19, 2023 City Commission Workshop
November 2, 2023 City Commission Meeting

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

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

Presentation regarding recent traffic counts

Mr. Carrino reviewed the statistics obtained by staff from the Lakeview Avenue and Grand Island traffic counts. He noted the City has received requests for traffic calming in the Grand Island Reserve. Regarding Lakeview Avenue, he stated the data revealed the average speeder was doing 35 mph which exceeds the speed limit by 5 mph. He added that the counts also showed that the highest traffic volume was weekdays, 5 p.m. to 6 p.m., with an average count coming from both directions at 227 vehicles during that hour. He explained that the road capacity at peak p.m. time in either direction is 530 vehicles. He stated that the City would continue to do enforcement; however, it does not appear that there is a speeding issue and capacity is a fraction of what the road can handle. He added that the preliminary traffic study done for Hidden Cove showed it would only add 14 vehicles in either direction.

Mr. Carrino then reviewed the data from Grand Island Reserve. He stated the average speeder was doing 29 mph which exceeds the speed limit by 4 mph. He explained that, while the City will continue to do enforcement, it is within acceptable ranges.

Mr. Carrino then reported on what criteria is required for the installation of traffic calming facilities. He indicated that traffic calming should not reroute traffic to another local road. He explained that to install traffic calming 70% of the residents must sign a petition. He

summarized that neither area qualifies for traffic calming under the City's current guidelines. He noted that Commissioner Ashcraft had asked him to look at the current guidelines to see if they need to be updated. He stated that if all the criteria are met, the City will pay for the traffic calming improvements; however, the question was if all the criteria are not met but the neighborhood wants to do it and they get the required signatures would the City allow them to pay for the traffic calming improvement. He indicated that staff drafted some changes that would allow neighborhoods that want to pay for traffic calming to provide a path for that.

Commissioner Ashcraft asked how many days of data collection were done with Mr. Carrino responding that each was collected for about ten days.

Commissioner Hawkins expressed support for traffic calming criteria to be different in areas around schools.

Mayor Holland commented on issues with students going to and from the high school along Lakeview Avenue.

Discussion was held regarding the possibility of installing more stop signs on Lakeview to slow traffic down as well as possibly on Center Street.

3. AUDIENCE TO BE HEARD

James Crux commented on the Lakeview traffic count and asked for the City to do another study when the winter residents are in town with Mr. Carrino indicating that could be done. He stated that best practice says they shouldn't be done too often. It was suggested that another study be done around the end of January or first of February.

Mr. Crux indicated that discussion was previously held regarding placing a four-way stop on Fahnstock with Mayor Holland responding they would have to get back to him on that.

4. CONSENT AGENDA

4.1 Resolution Number 23-101: JAG D Grant Gas Masks

4.2 Resolution Number 23-102: JAG C Grant Gas Masks

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

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

5. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

5.1 Resolution Number 23-103: Refuse Collection Rate Increase

Sasha Garcia, City Attorney, announced Resolution Number 23-103: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, authorizing adjustment to City of Eustis rates for the solid waste collection services, to provide for the annual adjustment of the Garbage and Trash Rate Index provided by the U.S. Bureau of Labor for Waste Management, Inc. of Florida to be effective January 1, 2024.

Mike Sheppard, Finance Director, explained the new rates would be effective January 1, 2024; however, the first bill to the residents with the new rate would go out February 1st. He noted that the contract with Waste Management for garbage collection would expire in 2024. He stated the City will be going out to bid the first part of 2024 for that service. He then reviewed

the proposed rate increase of bringing the total bill to \$19.02 per month for a single-family home. He noted the City is fourth lowest in the County for their garbage rate.

The Commission discussed how responsive Waste Management is to calls for service and how they have maintained their rates when other companies were increasing their fees due to increased fuel costs.

Attorney Garcia opened the public hearing at 6:18 p.m. There being no public comment, the hearing was closed at 6:18 p.m.

Motion made by Commissioner Hawkins, Seconded by Commissioner Cobb, to approve Resolution Number 23-103. The motion passed on the following vote:

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

6. OTHER BUSINESS

6.1 Discussion to reconsider the change in the Pelfrey Storage Property, located at 115 W. Woodward Avenue from General Industrial (GI) to General Commercial (GC) or to discuss other alternatives

Mr. Carrino explained that at the Commission's request staff placed the item on the agenda for the Commission to discuss whether or not they are willing to rehear the applicant's request to change their property's land use designation. He reviewed the Commission's Rules of Order pertaining to rehearing a previous agenda item. He then discussed other options. He said one option would be for the property to stay General Industrial and the Commission could consider conditional uses or the property could be changed to Mixed Commercial Industrial which would still allow other uses as well as light industrial. He stated a third option would be for the Commission to approve the original request to change the land use designation from General Industrial to General Commercial.

Mr. Carrino explained that different categories allow different uses. He indicated that the question would be what are the desired uses for the property and what would be the best category to accommodate the desired uses. He stated that it would require three Commissioners to place the item back on the agenda for consideration. He noted the other two options could be brought back as those would be sufficiently different to allow them to be brought forward as a new consideration.

Commissioner Cobb reported she spoke with Sarah Pelfrey after the last meeting. She stated that the issue could have been resolved if the use was considered vocational education with a CUP. She indicated that the property is more valuable as General Industrial and emphasized that the City does not have a lot of General Industrial property. She expressed support for working with Ms. Pelfrey to see what uses she would like to have and for the City to either adjust its permitted uses or put them under a Conditional Use Permit. She noted she also spoke with Dennis Almand and explained the situation would cause his property to be nonconforming. She noted that once they switch from General Industrial there would be no going back.

Commissioners Ashcraft and Hawkins commented on how the land use designation would create too many nonconformancies and the limited amount of General Industrial property.

Vice Mayor Lee expressed opposition to changing the land use designation due to the lack of existing GI in the City.

Mayor Holland summarized that the Commission is not in favor of changing the land use but would be amenable to staff working with Ms. Pelfrey to determine what could be permitted uses.

Mr. Carrino noted that if they change the permitted uses it would change the permitted uses on all GI property not just that property.

Sarah Pelfrey thanked the Commission and commented on the need for flexibility.

7. FUTURE AGENDA ITEMS AND COMMENTS

7.1 City Commission

Commissioner Cobb asked to have a water/sewer/ infrastructure workshop after the first of the year. She commented on the need to look at that in light of future growth to the east and cited the properties outside of the City obtaining City services. She noted that someone approached her regarding the Pine Meadows development. She stated that a meter was placed on the hydrant and the developer apparently removed the meter with Greg Dobbins, Deputy Director Public Utilities, informing the Commission that the meter had been stolen. He indicated they have since provided them with a portable meter that can't be stolen. He assured her that the developer had promptly notified them about the theft.

Commissioner Cobb asked Police Chief Craig Capri about an email that was received from a resident.

Chief Capri noted that it was an anonymous email about the number of officers that responded to a DUI investigation. He explained that the department has a number of young officers that are still in training which increases the number of officers on a scene. He noted that the department takes DUI calls very seriously due to the danger to the community. He encouraged people with issues to call him if they have a problem and he will provide an answer. He emphasized the department is very transparent.

Discussion was held regarding people sending anonymous emails.

Commissioner Cobb asked if he had an update on the amount of code enforcement fines with Chief Capri responding that they have collected \$438,240 with approximately \$5 million still outstanding.

Discussion was held regarding whether or not the department can make phone calls to individuals with outstanding fines. Attorney Garcia indicated she had sent an email regarding that issue.

The Commission complimented Chief Capri on his personnel's behavior and professionalism. He commented on how well the Commission and departments work together.

Commissioner Ashcraft asked for how they are moving forward with the Eustis Junior Panthers since the Parks and Recreation Director resigned.

Mr. Carrino noted that Rachel Amman is serving as the Interim Director. He explained he has met with Coach Saunders regarding an upcoming event and indicated they are moving forward with some of the smaller items he requested. He indicated they cannot just put a roof on the existing racquetball courts. He stated it would be easier to just demolish the existing facility and then rebuild. He suggested they could possibly combine a concession stand, press box and storage. He indicated staff is continuing to work with Coach Saunders. He noted that staff is working with him to hold an event at one of the City's facilities.

Commissioner Hawkins asked Ms. Amman to keep up communications with Coach Saunders. He commented on the change in leadership in Parks and Recreation. He noted that the director left without getting any accrued leave time or comp. time. He asked that they consider paying him his accrued vacation. He stated that he had 167 accrued hours. He asked to have a discussion about paying him his accrued vacation hours.

Mr. Carrino explained that the former director was with the City for less than three years so he would not be eligible for his accrued sick time as City policy is that you must be with the City for at least three years. He indicated as a department head and salaried employee he would not be eligible for comp. time. He stated that in order to be eligible for vacation payouts an employee must leave in good standing and it was his determination that he did not leave in good standing. He concluded that he directed Finance and Human Resources to not pay the vacation time.

Commissioner Hawkins expressed concern regarding the resignation and asked if an investigation was performed. He expressed support for paying the accrued vacation.

Discussion was held regarding the proposed payout with Commissioner Hawkins stating his belief that the director was in good standing when he accrued the vacation hours so they should be paid.

Discussion was held regarding whether or not they could hold a closed session to discuss the matter with Attorney Garcia indicating she would need to look at the City's Charter and the details of the matter. She commented that it is a personnel issue and she needs to look at whether or not the Commission can weigh in on the matter.

Discussion was held regarding when a meeting could be held if appropriate. It was proposed to hold a meeting on November 21st at 4:30 or 5:00 p.m. if the City Attorney deems it appropriate.

Mr. Carrino stated he would provide related information to Ms. Garcia to review.

Vice Mayor Lee asked to get an update on the cemetery project. She commented on the need for a facility for the Bezos Academy Montessori school that would be rent free. She expressed concern about the academic success of students in the local elementary schools. She noted the City is spending money for basketball and football but needs to do something for education. She asked for the rest of the Commission to help her find an available space for the school. She also asked if CRA funds could be utilized. She noted they need 3,500 to 4,000 square feet and emphasized she only has two weeks to find a space.

Ms. Pelfrey noted that her child also went to a Montessori school and expressed support for the program.

7.2 City Manager

Mr. Carrino reminded the Commission that the two December meetings were combined into one to be held on December 14th.

7.3 City Attorney

Attorney Garcia reported she re-sent her email regarding code enforcement to Chief Capri and Commissioner Cobb and wished everyone Happy Thanksgiving.

7.4 Mayor

Mayor Holland thanked Miranda Muir and the Events team for their excellent work on the Veteran's Day event. He cited the various activities and complimented all of the City staff

involved. He noted the upcoming Light Up Eustis event and wished everyone a Happy Thanksgiving.

8. ADJOURNMENT: 6:53 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