



MINUTES

City Commission Meeting

6:00 PM – Thursday, January 04, 2024 – City Hall

INVOCATION: PASTOR HAROLD KELLY

PLEDGE OF ALLEGIANCE: COMMISSIONER WILLIE HAWKINS

CALL TO ORDER: 6:03 P.M.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

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

1. AGENDA UPDATE: None

2. APPROVAL OF MINUTES

December 14, 2023 City Commission Meeting

Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee, 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. ELECTION OF MAYOR AND VICE MAYOR

3.1 Appointment of City Clerk as Temporary Chairman for Election of Mayor and Vice Mayor
Mayor Holland turned the meeting over to the City Clerk for the election of Mayor for 2024.

Election of Mayor for 2024

Christine Halloran, City Clerk, reviewed the process to be used for the nomination and election of Mayor. She opened the floor to nominations for Mayor.

Commissioner Cobb nominated Michael Holland as Mayor.

There being no further nominations forthcoming, Ms. Halloran asked for a motion to close the floor to nominations.

Commissioner Cobb moved to close the nominations. Commissioner Hawkins seconded the motion.

On a voice vote, the nominations were closed.

Ms. Halloran conducted a roll call vote on the nomination of Michael Holland as Mayor. The nomination passed unanimously.

Election of Vice Mayor for 2024

Mayor Holland opened the floor to nominations for Vice Mayor for 2024.

Commissioner Cobb nominated Emily Lee as Vice Mayor.

There being no further nominations forthcoming, Mayor Holland asked for a motion to close the nominations.

Commissioner Hawkins moved to close the nominations. Commissioner Ashcraft seconded the motion.

On a voice vote, the motion to close the nominations passed unanimously.

Mayor Holland conducted a roll call vote on the nomination of Emily Lee as Vice Mayor. The nomination passed unanimously.

Mayor Holland thanked the Commission for their trust in him to lead the meetings and represent the City. He assured the audience that the Commission works together and all have an equal vote. He noted he would provide a statement at the following meeting.

4. AUDIENCE TO BE HEARD

Pastor Kelly thanked the City Commission for their service and announced events to be held in honor of Dr. Martin Luther King, Jr. on January 14, 2024 at Trinity Evangelical Free and a Unity Walk on Monday, January 15, 2024, beginning at the Curtright Center. He acknowledged a number of people and churches involved in the events.

Tristen Nappi commented on continuing issues with Sharps Mobile Home Park corporate management and ongoing sewage issues. He emphasized the need for a clean, hygienic and healthy place to live in a cooperative environment. He stated his belief that they are trying to push out the lower income residents in order to raise the lot rents.

Mayor Holland explained the Commission could not respond to the comments and confirmed City Attorney Sasha Garcia had made notes regarding the complaints.

Juan Aguayo noted he previously addressed the Commission regarding Sharps Mobile Home Park. He stated that Hansel Rodriguez is not doing his job. He commented on the lack of work on the sewer and noxious smells and cited his wife's and his health issues. He emphasized they still are not testing the water and stated he still has not received his title.

Police Chief Craig Capri commented on recent visits to the mobile home park and communications with management. He noted they are addressing several issues and working with residents and management toward resolution. He indicated he would visit the park the next day.

Mayor Holland asked Attorney Garcia about communications with the park management and attorneys.

Attorney Garcia responded she had passed on the communications to the park's attorney. She stated that the park manager has responded to the concerns. She emphasized they are private matters unless something rises to the code enforcement level. She noted she provided residents with information regarding the Dept. of Business and Professional Regulation (DBPR) who regulates mobile home parks. She also provided the license number for Sharps Mobile Home Park so they could contact them if they have issues regarding their leases or certain treatment. She added that she also provided them information for legal aid.

Commissioners briefly commented on issues with the park and possible involvement of the Lake County Health Department. It was noted that they had requested a final report from the park management.

Attorney Garcia noted there is supposed to be an annual inspection by the Health Department which is filed with the DBPR.

The Commission confirmed that the residents can report issues to the Health Department.

Chief Capri reported there are no current code violations and stated the park is better than it was previously.

Discussion was held regarding whether or not the abandoned boat constituted a code violation. The Commission asked Chief Capri to contact the Lake County Water Authority regarding the boat.

The Commission asked Greg Dobbins if the City could conduct water testing and whether or not the City has the legal authority to go in the park to do testing with Attorney Garcia stating she would ask for consent from their attorney to go on the property and do testing.

Ann Ivey reported the County keeps free water kits at the Library and the individuals can test their own water.

Mayor Holland explained the limitations and involvement of the City Commission and suggested residents reach out to a legal fund for assistance.

5. CONSENT AGENDA

5.1 Resolution Number 24-02: Acceptance of Sorrento Pines Subdivision (Unincorporated Lake County) Utility Infrastructure and Maintenance Bonds for Phase 1B

5.2 Resolution Number 24-08: Police Motorcycles

Commissioner Hawkins asked to remove the Commission Meeting Schedule from the Consent Agenda for discussion.

Motion made by Commissioner Cobb, Seconded by Commissioner Hawkins, to approve the remaining Consent Agenda items. 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 City Commission Meeting Schedule 2024

Commissioner Hawkins asked to discuss days off and whether or not they would do the same in December as in 2023.

Mayor Holland recommended they leave it open that as things develop they can change the schedule as needed with the overall schedule to remain the first and third Thursday.

Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee, to approve the Commission Meeting Schedule for 2024. The motion passed on the following vote:

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

6.2 Resolution Number 24-01: Appointing Commissioners to Various Boards and Committees

Attorney Garcia announced Resolution Number 24-01: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, to appoint liaisons, directors or members and alternate directors or members to various committees and boards of directors to ensure that the City's interests, as expressed through the City Commission, are represented on these various committees and boards.

The Commission discussed the various boards and committees and who wanted to be appointed with a consensus of the following appointments:

America in Bloom: Emily Lee as appointee with Nan Cobb as alternate

Audit Committee - Michael Holland

Lake Community Action Agency - Willie Hawkins

Lake County Arts and Cultural Alliance - Nan Cobb as primary and Pam Rivas as alternate

Lake County Educational Concurrency Review Committee - Willie Hawkins

Lake County League of Cities – Michael Holland as Director

Lake Eustis Area Chamber of Commerce Board - Tom Carrino

Lake-Sumter MPO - Gary Ashcraft as primary with Nan Cobb as alternate

Open Door – Gary Ashcraft as liaison with Nan Cobb as alternate

Attorney Garcia opened the public hearing at 6:37 p.m. There being no public comment, the hearing was closed at 6:37 p.m.

Motion made by Commissioner Ashcraft, Seconded by Commissioner Hawkins, to approve Resolution Number 24-01 with the appointments as discussed. The motion passed on the following vote:

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

6.3 SECOND READING

Ordinance Number 23-30: Approval of a Conditional Use Permit for Additional Barbed Wire Fencing at the Rear of the Ace Hardware Store located at 18691 U.S. Highway 441

Attorney Garcia read Ordinance Number 23-30 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving a conditional use permit for additional barbed wire fencing at the rear of the Ace Hardware Store located at 18691 U.S. Highway 441.

Attorney Garcia opened the public hearing at 6:37 p.m.

Kristie Chicarelli asked if the City Attorney had researched whether or not the City's approval would supersede the Homeowner's Association with Attorney Garcia responding that she did research that and the City's approval does supersede the HOA.

Ms. Chicarelli asked where she could obtain that information with Attorney Garcia responding that it is based on municipal law and suggesting she email her and she would provide the information.

Ms. Chicarelli wanted it added to the record that she has a number of emails between her and Mike Lane pertaining to the requested barbed wire fencing. She commented on research she did on the fence permit and questioned whether or not a permit was required. She cited Sec. 110-5.7 pertaining to pre-existing barbed wire fences and stated that the fence did not need to be repaired or replaced. She indicated the section did not provide for additional or new fencing. She expressed opposition to the approval.

Tom Carrino, City Manager, explained that if the situation involved repair or replacement, it would not have gone to the Commission for approval. He stated it is before the Commission because it is considered a new fence. He acknowledged that the City had communication with Ms. Chicarelli previously regarding the case over the past year. The statement about no contact was pertaining to the time period after the application was advertised. He explained that once an application is advertised and posted, staff tracks any communications received.

Ms. Chicarelli questioned the statement that was made that 44 Gables was notified; however, she did not receive any notification.

Mr. Carrino responded that signs were put up and mailings went out.

Ms. Chicarelli noted that the reason the application was submitted was due to her calling to report the original code violation. She further commented on the history of the situation between 44 Gables and Ace Hardware. She further expressed opposition to the additional barbed wire. She expressed concern that adjoining property owners may also request the barbed wire with Mr. Carrino stating the City would consider each application on a case by case basis.

Further discussion was held regarding the history of the application and the notifications.

Ms. Chicarelli confirmed that 44 Gables denied their application.

Attorney Garcia confirmed that approval of the Conditional Use Permit would not set a precedent for anyone else. She also stated that any liability stays with the property owner.

Ms. Chicarelli stated she was previously told that the HOA restrictions would supersede the City's approval.

Mike Lane, Director of Development Services, responded that staff does not look at covenants and restrictions. He indicated certain items for which the HOA restrictions would supersede such as paint colors. He reviewed specific regulations pertaining to fences as accessory structures.

The Commission noted the lack of residents attending the Commission or contacting the City in opposition.

Ms. Chicarelli stated that the HOA board wanted a letter attached to the application that would state that the HOA would not be responsible for any injuries, accidents, up to and including fatality.

Attorney Garcia stated that the HOA already covered their liability by denying the request and now the liability would reside with the property owner. She added she would be happy to provide the information to Ms. Chicarelli regarding the City's approval superseding the HOA restrictions.

The Commission asked to confirm whether or not the HOA received the notification with Attorney Garcia noting that the HOA representative is present so clearly they received notice and had the opportunity to express their concerns.

The public hearing was closed at 6:53 p.m.

RECESS: 6:54 p.m. RECONVENE: 6:58 P.M.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to approve Ordinance Number 23-30 on second and final 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 AND COMMENTS

7.1 City Commission

Commissioner Hawkins announced an upcoming clean-up and fellowship event at Mt. Olive Cemetery at 9:00 a.m. on Saturday, January 13, 2024.

Discussion was held on the need to assist the cemetery's board with clean up.

Commissioner Hawkins then noted a Special Needs Prom would be held in April with details to follow.

Commissioner Ashcraft asked for an update on the City's investment of funds.

Mr. Carrino noted the previous discussion with the Commission regarding the City's investment policy and considering Treasury notes versus CD's. He stated that the direction from the Commission indicated that rates on CD's were better. He indicated that the City has since hired Try-on Clearview to look at efficiencies and how to bring in more revenue. The agreement stipulates that the City will pay them a percentage if the City brings in more revenue based on their recommendation. He reported that he has discussed the situation with the Finance Director and recommended, based on Commission direction, that they invest the City's funds in CD's. He noted that Try-on was able to negotiate with TD Bank to get the City a better rate on its savings account. He added that the City is paying them a percentage of those additional revenues.

Mr. Carrino then reported that Try-on recommended that the City invest with other banking establishments; however, staff decided to stay with TD Bank based on their favorable rates. He indicated that staff would continue to work with them.

Commissioner Ashcraft asked for them to meet with the Commission at some point. He then commented on discussions he has had regarding the interchange (SR19 and Hwy. 441). He asked for a progress report on maintenance of the interchange.

Mr. Carrino responded that a meeting has been scheduled with a representative of FDOT to develop an agreement regarding the interchange. He cited the possibility of the City taking over that maintenance in order to meet the City's needs. He stated that FDOT would only pay the City whatever they are currently paying for that maintenance.

Commissioner Ashcraft commented on the possibility of doing some plantings as part of America in Bloom to beautify the interchange.

Mr. Carrino indicated that would not be part of the FDOT agreement but part of the City's maintenance program.

Commissioner Hawkins noted that the City is now paying a lobbyist and asked if they would provide a report to the Commission on their activities.

Mr. Carrino stated they would be working on the City's legislative priority requests. He noted that one of the lobbyists is a Eustis resident. He indicated they would also be involved with Legislative Action Days.

Mayor Holland expressed concern about the meeting with FDOT and the lack of progress.

Commissioner Hawkins expressed concern regarding how long it takes to get projects accomplished in the City. He then commented on the Clifford House. He noted he would be pushing for some projects in other parts of the City.

Commissioner Cobb requested an update on the issue of the alternate key numbers for the City property out 44 with Mr. Carrino responding that it has been corrected on the Property Appraiser's website so staff will be confirming that it is actually corrected. He said that according to the Property Appraiser that property does not include anything south of the road.

Commissioner Cobb then asked for an update on the islands on Bay Street with Rick Gierok, Development Services Director, stated that right then was not the time of year to do the plantings. He stated contracts have been executed and they are ready to go. He noted this is the driest time in Florida and a freeze would complicate that.

Vice Mayor Lee stated she has a citizen's group led by Ron Sartele and they would like to take over the island project. They also are interested in being a part of America in Bloom.

Mr. Carrino stated that the City has areas where they could use them to be involved; however, due to liability they do not want them involved with the islands.

Commissioner Cobb asked about the grant to be submitted to Waste Management for funding for America in Bloom with Al Latimer responding that they were told to put forward a request for \$5,000. He indicated that the letter was submitted but the funding has not been received as of yet.

Commissioner Cobb asked Rachel Amman regarding requested playground equipment for Liberty Circle with Ms. Amman responding that is currently on hold. They are in the middle of installing equipment at Seleen.

Commissioner Cobb asked for pictures of the planned equipment for Liberty Circle so she can submit a request the following Monday to the Sheriff's Department for funding. She indicated she would come by the office to pick up the pictures.

Vice Mayor Lee announced on Tuesday, January 9th, they would host a tour of the Clifford House as part of the America in Bloom project. She stated the tour would be at 1:00 p.m. with Commissioner Cobb indicating she would not be able to attend due to a meeting with Lake 100.

7.2 City Manager - None

7.3 City Attorney - None

7.4 Mayor

Mayor Holland thanked the Commission for allowing him to continue to serve as Mayor. He cited their hopes to continue moving forward and encouraged anyone to reach out to them.

8. ADJOURNMENT: 7:18 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