



# MINUTES

## Regular City Commission Meeting

6:00 PM - Thursday, August 18, 2022 - City Hall

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### INVOCATION

### PLEDGE OF ALLEGIANCE: COMMISSIONER HAWKINS

### CALL TO ORDER: 6:05 P.M.

### ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

**PRESENT:** Commissioner Willie Hawkins, Vice Mayor Emily Lee, Commissioner Karen LeHeup-Smith, Commissioner Nan Cobb and Mayor Michael Holland

### 1. AGENDA UPDATE

### 2. APPROVAL OF MINUTES

#### 2.1 June 23, 2022 - City Commission Budget Workshop August 4, 2022 - Regular City Commission Meeting

Moved by Vice Mayor Lee, seconded by Commissioner Hawkins, to approve the Minutes as submitted. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

### 3. PRESENTATIONS

#### 3.1 Eustis Police Department Retirement of Gary Winheim

Craig Capri, Police Chief, presented Gary Winheim with a certificate honoring his 26.5 years of service with the Eustis Police Department. He stated that he served with integrity and honor and although he was retiring he would always be a part of the department.

Mr. Winheim thanked his wife and family for their advice and support and stated it was a privilege and an honor to serve the City.

Mayor Holland thanked him for his service and wished him the best on his next journey.

#### 3.2 Eustis Housing Authority presentation - Horace Jones, Executive Director

Horace Jones, Executive Director for the Eustis Housing Authority, presented a proposal for construction of a community facility on the Housing Authority property. He stated the facility would address two specific needs: 1) to provide a meeting room/social center for Eustis residents for up to 100 people; and 2) provide an

attached, separate, and isolated laundry room facility exclusively for the public housing residents. He commented on the need to have the cooperation from many sectors to be successful in revitalizing Eustis. He cited the issues and needs to be addressed by the project. He explained how the idea for the project developed, presented renderings of the proposed facility and commented on the need for additional parking. He suggested the possibility of also providing office space for the East Town CRA and Eustis African American Heritage Association as well as a conference room.

Mr. Jones then commented on the possibility of purchasing additional properties to allow for more parking. He explained that he had two contractors look at the renderings and provide estimated costs. The estimates were \$1.2 million and \$1.7 million depending on the parking. He then reviewed the potential funding sources as follows: 1) HUD; 2) CRA; 3) Lake County CDBG funds; and 4) municipal and/or state funding.

Mr. Jones summarized the six main takeaways from the project as follows: 1) Provide a gathering facility for multi-purpose use that will accommodate up to 100 people; 2) Utilities existing and owned property by the Housing Authority; 3) Fills a major void for public housing needs for laundry facilities; 4) Revenue generating and self-sustaining; 5) Will provide state-of-the-art audio and visual technology; and 6) Provides a community forum for small business and individual use. He thanked the Commission for allowing him to present and emphasized that it is a conceptual plan only.

The Commission confirmed that fees would be charged for use of the facility with Mr. Jones adding that would be overseen by the Housing Authority. They also questioned the number of washers/dryers to be in the facility with Mr. Jones confirming there would be six each. He stated the residents would have to pay for use of the machines and there would be no clothes lines once the facility is open.

Discussion was held regarding including a kitchenette in the facility versus a commercial kitchen and the number of bathrooms to be included with Mr. Jones explaining there would be six bathrooms in total - three male and three female. He confirmed the conference center would be 1300 sq.ft. and would seat 80 to 100 people. He indicated the rear office and conference room together would be approximately 800 sq.ft.

Discussion was then held regarding rental of the offices with Mr. Jones explaining he wanted to determine if the facility was a viable proposal and then he would develop appropriate policies and procedures for renting the facility.

The Commission discussed the following issues: 1) Designating the office space for use by specific entities; 2) Designing the facility with a commercial kitchen rather than a kitchenette; 3) How to ensure the use of the facility by the community; 4) Enlarging the kitchen space versus office space; 5) Omitting the office space to allow more space for the conference area and kitchen; 6) Possible amount of HUD funding for the project; and 7) Holding fundraisers to raise funds for the project.

Mr. Jones discussed the possible use of CRA and Lake County CDBG funds for the project. He commented on some confusion regarding the County's funding cycle. It was suggested that he contact Rep. Truenow's office regarding funding. He then asked if the concept is agreeable to the Commission.

The Commission asked if the City would have any input into the High School 9th grade center with Tom Carrino, City Manager, explaining that the 5-year capital plan for the high school campus has been amended to include an addition to the Eustis High main campus. He noted that it also includes in parentheses "determine re-use of Curtright Center". He stated there is \$29 million in their budget for 2025-26 with a notation for it to open in 2028. He indicated they have begun discussions regarding using the Curtright Center gym for basketball and that has been positive. He stated he has not had any serious discussions with the School Board regarding the overall re-use of the center. He stated that the City has a good partnership with Eustis High School regarding using the Curtright Center and they need to build on that.

Commissioner Cobb reported she was contacted by the School Board Superintendent regarding the City's use of the Curtright Center.

The Commission further discussed the use of a commercial kitchen, what was included in the cost estimates, the possibility of getting appraisals for the adjacent properties and whether or not they would complete the project at one time.

Mr. Jones asked if it would be possible to utilize CRA funds with Mr. Carrino confirming it would be an eligible CRA expense. He noted there has been discussion regarding building a community center in the CRA. He indicated there is \$1.2 to \$1.4 million in "Money Reserved for Future Projects". He added that the CRA does have debt surface for the Waterman site. He stated there is some capacity to either take on a little more debt or to make an annual contribution over several years. He added he would have to work with Finance to determine the actual amount available but estimated the unallocated amount at approximately \$200,000.

Commissioner Hawkins noted he had met with Mr. Jones regarding the project. He added that at the previous meeting at the Curtright Center the community expressed support for there being a place for children to play and that would be his priority. He also expressed support for the facility.

Mayor Holland suggested that Mr. Jones contact Lake County regarding the grants and asked that Mr. Carrino work with the Finance Department to determine the available CRA funds and then it could be brought back as a future agenda item. He also complimented Mr. Jones on the maintenance of the Housing Authority property.

Commissioner Cobb asked whether or not HUD would be willing to leverage the property for funding since it is paid for with Vice Mayor Lee noting they also own other property that could possibly be swapped.

Mr. Carrino indicated he would also involve the Economic Development Director Al Latimer in the discussion regarding the CRA funding.

CONSENSUS: It was a consensus of the Commission to have the item brought back to a future agenda possibly at the next meeting.

#### **4. APPOINTMENTS**

##### **4.1 Re-appointment to Code Enforcement Board - Richard Bartzner**

Richard Bartzner thanked the Commission for the opportunity to stay involved with the community.

Moved by Commissioner Hawkins, seconded by Commissioner Cobb, to approve the reappointment of Richard Bartzner to the Code Enforcement Board for a three-year term. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

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

**5.1** June Lang and Sue Parent, representing the Lake County Election Integrity and Voter Participation Coalition, addressed the Commission regarding their work concerning the 2020 election. She explained the organization researched the election and the individuals involved. She stated they put together their findings and submitted it to the Governor's office and Lake County Sheriff. She presented redacted copies of their report to the City Clerk for distribution to the Commission.

Jaime Eaton stated they previously lived at 34 E. Pendleton Avenue up until the previous April. She explained their history and stated they were renting the house which was a wreck when they moved in. She indicated they were in talks to buy the house; however, the electric was from 1952. She further explained they were trying to get a VA loan; however, the house caught on fire so they were living in a motor home in Orange City. She stated they were requesting special consideration to allow them to live in a motor home on their property while they repair the home. She explained the location of the property and how the motor home would be situated. Mr. Carrino was asked to work directly with Ms. Lane. He stated that, strictly speaking, that is not allowed but he could talk to her to see what could be worked out.

Nicee Allen Parks expressed support for the Housing Authority's plan to build the community building. She asked if the City can assist with the plan while not moving away from the plan for the youth. She encouraged the Commission to keep both projects including a facility for other types of activities rather than just basketball.

Dr. Hugh Brockington, Vice Chairman of the Eustis Housing Authority (EHA), expressed support for the Commission finding the money for both projects. He thanked them for their support of the EHA.

## 6. **CONSENT AGENDA**

- 6.1 Resolution Number 22-54: Annexation Agreement and Developer's Agreement to provide water service outside the City Limits (37133 County Road 452)
- 6.2 Resolution Number 22-55: Eleven Oaks - 2nd extension of time for completion of improvements
- 6.3 Resolution Number 22-56: Award of Bid #012-21 and Approval of a Purchase in Excess of \$50,000 for a Replacement Generator and Transfer Switch for Lift Station Number 8

Moved by Vice Mayor Lee, seconded by Commissioner Hawkins, to approve the Consent Agenda as submitted. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

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

- 7.1 Resolution Number 22-51: Country Side Diner Conditional Sign at 1602 North State Road 19 (Alternate Key Number 3809654)

Derek Schroth, City Attorney, announced Resolution 22-51: A Resolution of the City Commission of the City of Eustis, Florida; approving a Conditional Sign for Countryside Diner at 1602 North State Road 19 to permit a 265 square foot existing painted wall mural as a sign in the Suburban Corridor Design District, as greater signage amount than permitted by Land Development Regulations Section 115-11.2(D).

Heather Croney, Senior Planner, presented the request for a conditional sign for Country Side Diner that is greater than allowed by the Land Development Regulations. The site location is approximately 1.3 acres at 1602 N SR 19 (W side of N SR19, about 0.25 miles S of intersection of N SR19 and E CR44) and provided photos of the subject signage. She explained there is also a code violation due to the property owner not obtaining a sign permit prior to erecting the subject signage and noted that the building is blocked by trees and a billboard on the neighboring property. She reviewed the sign regulations pertaining to the design district and further explained how the existing signage exceeds what is allowed. She stated to be approved, a building permit application would have to be submitted and the temporary banner would need to be removed which would satisfy the code violation. She added that the code does allow for conditional signs and explained the requirements. She stated that the situation could be considered a special privilege as other restaurants have been at the location and did not request anything extra. She stated the Commission has the discretion to approve or deny.

The Commission questioned how much time staff including Code Enforcement spent on the request. They also questioned the owner regarding his business and how long he has been in business in the City.

Thomas Barberi responded that he has owned Haystacks in Eustis for 14 years and they opened the Countryside Diner in October 2020.

Commissioner Hawkins asked about if anyone has disapproved of the sign with Mr. Barberi responding negatively and indicating they have received compliments regarding the mural. He then commented on his need to find ways to attract more business noting how the pandemic affected their business. He noted how long the Huddle House was closed and then the Combat Cafe.

The Commission expressed concern about the need for this type of issue to be brought before the Commission and the need to address the sign ordinance. They apologized to Mr. Barberi for the situation.

Mr. Schroth opened the public hearing at 7:12 p.m. There being no public comment, the hearing was closed 7:12 p.m.

Discussion was held regarding what was needed to close the code violation.

Moved by Commissioner Cobb, seconded by Commissioner Hawkins, to approve Resolution Number 22-51 and to waive the permit fee. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

**7.2**     Resolution Number 22-57: Reduction of Fine/Release of Lien, 2250 Dixie Avenue - Case 20-00235

Mr. Schroth announced Resolution 22-57: A Resolution of the City Commission of the City of Eustis, Florida; providing for a reduction of outstanding code enforcement fines and release of lien against 2250 Dixie Avenue, upon full payment of the reduced fine and upon satisfaction of conditions.

Mr. Carrino explained the applicant previously asked the Commission to reduce the fine; however, the Commission indicated they wanted more information and directed that the request follow the proper procedure and go back to the Code Enforcement Board. He stated that the case did go back to the Code Enforcement Board and they recommended to the Commission that the lien be reduced from approximately \$108,000 to \$88,000. He added that there is some question as to whether the property is fully in compliance. The Board's recommendation was to reduce to \$88,000 but only if the property was in complete compliance with the code. He stated that the property owner has done a lot of work on the property and cited some of the specific improvements. The Code Enforcement Supervisor had reported that the property is very close to compliance; however, there are areas where an inoperable vehicle and a storage structure are not screened from the public right-of-way. He reiterated the Board's recommendation and stated that the Commission has the discretion to not reduce the fine or reduce the fine anywhere between \$108,000 and zero.

The Commission asked when the case started with Mr. Carrino indicating staff has been working on the case for approximately three years.

Eric Martin, Code Enforcement Supervisor, reported that the first code inspection of the property occurred in February 2020.

The Commission questioned when the fines began occurring and why with Mr. Martin responding that the fines began accruing May 2021 in the amount of \$250 per day. He indicated the amount of the fine was due to the severity of the violations. He explained that the owner began cleaning up right away; however, it took very long due to the amount of debris. He reviewed a history of the violations explaining that, in the middle of the case, the owner sold the property to the tenants. He noted that the Code Enforcement Board granted two extensions during the timeframe.

Commissioner Hawkins informed the City Attorney that he may have been on the Code Enforcement Board during that time with Mr. Schroth indicating that would not constitute a conflict.

Lorenzo Tony, Marlowe's Design and Construction, explained the house was dilapidated when the tenants bought it and they got permits to tear the house down after which they approached him about building a new house. He explained he agreed to assist them and noted that one of the owners is a disabled veteran. He further explained that most of what was on the property was complete debris and noted that much of that time was during Covid. He indicated that he built a completely new house on a portion of the property. He added that, at the direction of Mr. Martin, he had erected a fence to block the view of a portion of the property. He explained that, once they are able to close on the house, Mr. Goodwin was going to obtain the funds to put up a gate. He added that there are only two items left on the property. He expressed concern regarding the meeting with the Code Enforcement Board and some of the questions they asked. He indicated that the City only has \$1200 in administrative costs invested in the case. He indicated that the lien was not placed on the property until two days before they could close on the property.

Chief Capri responded that the Code Enforcement Board asked appropriate questions; however, part of the problem was that Mr. Tony was appearing before the Board and not the property owner.

Mr. Carrino clarified that Mr. Tony has an extensive power of attorney for the property and submitted the lien reduction request using that power of attorney.

Mr. Tony indicated that when he first looked at the property there was no lien. He commented on his intent to assist a veteran.

Commissioner Hawkins acknowledged he questioned the case due to the property owner not appearing before the Commission. He confirmed that Mr. Rogers will be moving into the house once the property closes.

Commissioner Cobb further commented on the previous consideration of the case and expressed concern regarding how long the property was out of compliance and questioned how do they know it will be completely brought into compliance.

Mr. Carrino explained the only things needed to bring it into compliance is to install a fence to run north to south in the backyard and get a tag for the truck.

Mr. Rogers explained he inherited the property from his brother in poor shape. He stated it has to close so he can pay Mr. Tony.

Mr. Schroth opened the public hearing opened at 7:35pm.

George Asbate, Code Enforcement Board member, commented on his belief that the builder did not do his due diligence for the property. He stated it is standard practice to contact the local municipality to determine if there are any outstanding code violations. He noted that during the CEB hearing, the Board asked if Mr. Rogers would be living in the house. They then asked if he could agree to allow a deed restriction that would require Mr. Rogers to live on the property for the remainder of his life and the contractor refused.

Alan Paczkowski, Code Enforcement Board Chair, stated there was 883 days of violations and non-compliance as of the last Code Enforcement Board (CEB) meeting with no response received from the property owner. He reviewed the various CEB actions on the property. He noted that the property consists of four lots. He expressed concern regarding the possibility that the intent is to divide the property into four lots. He commented on the lack of due diligence by the contractor. He stated that the Board determined the amount they recommended to reduce the fine to was based on \$100/day times 883 days and they rounded it down to \$88,000. He stated that all votes on the property were unanimous.

The Commission asked Mr. Rogers what is his address with Mr. Rogers responding his current address is 2414 E. Orange Ave. and he previously lived on Dixie with his brother. He commented on the history of the property with his brother.

The Commission asked if Mr. Rogers received the code enforcement notices with Mr. Martin stating that eight notices were sent.

Mr. Tony spoke about his involvement in the process and explained the power of attorney was only for him to be able to represent Mr. Rogers before the City. He presented a copy of the power of attorney to the Commission. He added that the Board suggested that Mr. Rogers sell the property to pay the City and he refused for them to do that. He questioned why the Board would suggest that. He further explained that, if Mr. Rogers passes, his nephew would take over the property.

Darren Rogers, Will Goodwin's son, commented on his efforts to clean up the property and assist his uncle. He stated that he did not receive the paperwork and was not aware of the \$100 per day fine.



The Commission confirmed how the notices were provided with Mr. Martin stating that a notice is also posted on the property.

The Commission questioned how long the property has been in the City with Mr. Carrino responding that it was annexed into the City September 2018.

Mr. Martin explained that the Water Department reported the property to Code Enforcement in 2020 due to someone living on the property without water.

Commissioner LeHeup-Smith stated that the property has been cleaned up and it looks good. She expressed support for reducing the fine to the administrative costs and stated she didn't care if they subdivide and sell the property.

Commissioner Hawkins expressed agreement with lowering the fine and stated he would prefer that it be totally in compliance first.

Dr. Brockington noted the Police Chief's comments regarding the property. He stated that they have done what was asked of them. He encouraged the Commission to approve the fine reduction so Mr. Rogers can move into his home.

The Commission asked how the City can know the property will stay in compliance.

Mr. Rogers emphasized he is trying to do the right thing and will keep the property in compliance.

Jaime Eaton stated she works for the VA and can help Mr. Rogers get assistance with keeping up the property.

Mr. Asbate responded to the comment by Mr. Tony that the Board suggested that Mr. Rogers sell the lots to pay off the fine. He stated that was not true and that Mr. Rogers could move into the house except for the contractor. He expressed opposition to reducing the fine.

The public hearing was closed at 7:57 p.m.

Mr. Tony responded that one of the Code Enforcement Board members made the statement that Mr. Rogers could sell the property to pay the fine.

Mr. Schroth stated that the power of attorney is very broad and would allow for sale of the property. He explained that if they have concerns about the property still being noncompliant, they can approve whatever reduction they choose and make it contingent upon the property being brought into compliance.

The Commission questioned whether or not the Code Enforcement Board has ever reduced a fine by that much.

Mr. Asbate responded that the only time that the Board reduced a large fine was due to the only property owner being under the age of 18 and not legally able to

sign. The property was brought into compliance and stayed in compliance and when the child reached the age of 18, they reduced the fine.

Mr. Paczkowski further stated that the child was represented by an attorney who was purchasing the property. He explained how the Board reaches a decision regarding a request to reduce a fine and the process used in assessing a lien.

The Commission asked how many extensions were given in the subject case with Mr. Paczkowski responding five to eight. He expressed frustration with people not attending the CEB meetings to plead their case.

The Commission further discussed whether or not to reduce the fine and, if so, by how much. It was noted that the City cannot send the message that someone can accrue a large fine and then it will be lowered.

The Commission asked when they acquired the property with Mr. Carrino indicating the warranty deed is dated November 25, 2020.

Commissioner Cobb moved to approve Resolution 22-57. Seconded by Mayor Holland.

Commissioners LeHeup-Smith and Hawkins both indicated the \$88,000 fine was too high.

The motion failed on a 3 to 2 vote.

Commissioner LeHeup-Smith moved to approve Resolution 22-57 with a reduction to \$7,500. Commissioner Hawkins seconded the motion.

The motion failed on a 3 to 2 vote.

Further discussion was held regarding the reduction of the fine.

Subsequent to approval of Resolution 22-57 with reduction to \$10,000, the following discussion was held:

Mr. Carrino confirmed that the Commission was comfortable with staff confirming when the property is in compliance. He then explained what is still needed.

Further discussion was held regarding the issue with them not being able to close on the house until the lien is released.

Mr. Martin explained that the code requires that the inoperable vehicle and cargo box be screened from view from adjacent properties. He stated they do not have to fence the entire property. He explained they only have to box those in and noted that it is already screened from the north and south.

Mr. Schroth stated that the decision was to allow staff to determine compliance and that, once that is done, the City will release the lien upon receipt of the payment.

Mr. Martin indicated they could move the truck closer to the tool box to reduce the amount of fencing material used.

Moved by Commissioner Hawkins, seconded by Vice Mayor Lee, to approve Resolution Number 22-57 with the lien reduced to \$10,000. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee and Commissioner LeHeup-Smith

Nays: Commissioner Cobb and Mayor Holland

**7.3** 2nd Reading: Ordinance Number 22-18 – Voluntary Annexation of property located on the South side of County Road 452, West of North Country Road (alternate key numbers 1743346 and 3840638)

Mr. Schroth read Ordinance Number 22-18 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 4.8 acres of real property at Alternate Key Numbers 1743346 and 3840638 on the south side of County Road 452, west of North Country Road.

Mr. Schroth opened the public hearing at 8:19 p.m. There being no public comment, the hearing was closed at 8:19 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to adopt Ordinance Number 22-18 on second and final reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

**7.4** 2nd Reading: Ordinance 22-19 - Changing the Future Land Use Designation of property located on the south side of County Road 452, west of North Country Road from Urban Low in Lake County to Suburban Residential in the City of Eustis

Mr. Schroth read Ordinance Number 22-19 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, amending the City of Eustis Comprehensive Plan pursuant to 163.3187 FS; changing the future land use designation of approximately 4.8 acres of recently annexed real property at alternate key numbers 1743346 and 3840638, on the south side of County Road 452, west of North Country Road, from Urban Low in Lake County to Suburban Residential in the City of Eustis.

Mr. Schroth opened the public hearing at 8:20 p.m. There being no public comment, the hearing was closed at 8:20 p.m.

Moved by Commissioner Hawkins, seconded by Commissioner Cobb, to adopt Ordinance Number 22-19 on second and final reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

**7.5** 2nd Reading: Ordinance Number 22-20 - Assigning the Suburban Neighborhood Design District Designation to property located on the south side of County Road 452, west of North Country Road

Mr. Schroth read Ordinance Number 22-20 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood Design District Designation to approximately 4.8 acres of real property at alternate key numbers 1743346 and 3840638, located on the south side of County Road 452, west of North Country Road.

Mr. Schroth opened the public hearing at 8:20 p.m. There being no public comment, the hearing was closed at 8:20 p.m.

Moved by Commissioner Hawkins, seconded by Vice Mayor Lee, to adopt Ordinance Number 22-20 on second and final reading. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

**8. RECESS: 8:21 P.M. RECONVENE: 8:33 P.M.**

**9. OTHER BUSINESS**

**9.1** Discussion regarding allowance of Chelsea Square Station Preliminary Subdivision Plat to be reheard before the 9 month waiting period

Mr. Carrino noted that the item was previously before the Commission; however, the Commission voted to not move forward. He added that the Commission has rules regarding how soon an item may be brought back to the Commission. He indicated that staff has been meeting with the developer and they have a plan where they are looking to develop on the north side of the property as previously proposed but with the elimination of the cottage lots on the south side of the property. He stated their intent is to designate that portion as commercial in a future phase. He stated that the Commission has three options as follows: 1) Determine that the proposal is substantially different from what was considered previously and the code would allow them to consider the changed proposal; 2) The Commissioners that voted against the previous request could vote to reconsider and rehear the project; or 3) The Commission could choose not to reconsider the proposal and require that the developer wait the required nine months. He stated that the developer has a brief presentation.

Kim Booker, Booker and Associates, stated their proposal is substantially different than what was previously proposed and that they listened to the comments previously made by the Commission and took those into account. She noted that the Commercial portion of the project was approved in 2019 when it was annexed in. She indicated the future land use is MCR (Mixed Commercial/Residential) and Suburban Residential in the back. She stated they had proposed in July 113 single family residential lots with 39 were the cottage lots and 74 were house lots. She explained that the new proposal retains the 74 house lots on the north side and removes the cottage lots and returns that section to a commercial use.

Ms. Booker presented slides comparing the July proposal and the current proposal. She commented on the plan that was originally approved by Lake County and the infrastructure. She explained that all of the infrastructure would have to be approved and accepted by the City. She indicated they are only requesting one waiver regarding the depth of the lots. She explained that the width of the lots will be 60 feet and the Commercial will meet the MCR and Suburban Neighborhood land use requirements. She stated they are requesting to get their input on what is proposed. She offered to meet individually with the Commissioners.

Mr. Carrino explained what is required that night was whether or not the Commission is willing to reconsider the application with Ms. Booker adding that they would also like to hear the Commission's comments.

Mr. Schroth asked the Commission to let them know if they have any strong objections to what is being proposed with there being no comments by the Commission. Mayor Holland indicated they had addressed all of his concerns.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, for the Commission to reconsider the application. Motion carried by the following votes:

Ayes: Commissioner Hawkins, Vice Mayor Lee, Commissioner LeHeup-Smith, Commissioner Cobb and Mayor Holland

## **9.2 Report on Business Incubator**

Al Latimer, Economic Development Director, provided a recap of the previous presentation from August 4th regarding partnering with UCF to create an incubator in downtown Eustis. He noted that after their discussion the Commission asked staff to develop a plan. He then reviewed the plan developed by staff with two objectives as follows: 1. Determine the type of incubator that would work for Eustis; and 2. Develop a strategy for securing essential partnerships, specifically around funding and delivery of client services.

Mr. Latimer then reviewed the action steps as follows: 1. Work with UCF to define the City's entrepreneur community; 2. Identify and solicit funding from organizations to share the cost of the incubator; 3. Attempt to raise \$100,000 in partnership funding; 4. Meet with Lake Tech and Lake Sumter to coordinate entrepreneur development services they offer with those proposed by UCF; 5. Research additional resources beneficial to incubator clients; and 6. Provide the Commission with an all cost accounted for detailed budget. He explained there

was insufficient detailed discussion to determine what an operating budget would look like. He stated staff's intent to bring back a detailed budget to the Commission once it is determined.

Mr. Latimer then commented on Action Step #3. He stated staff's intent to reach out to Lake County as a funding partner. The County indicated that the best way to get a proposal in front of the Lake County Commission is to submit a letter signed by the City Manager. He stated staff is seeking the Commission's permission to proceed with all of the action steps including having the letter authored by the City Manager for presentation to the County.

Mayor Holland reported that Lake County Commission Chairman Sean Parks is willing to push the request forward to the County Commission on Tuesday, August 23rd as long as the letter is received by Friday, August 19th. He confirmed they would be asking for as much funding as possible and requested that as many of the Commissioners as possible attend that meeting along with Mr. Latimer, George Asbate and Pam Rivas.

Mr. Carrino recommended that the request be for \$200,000 per year for three years.

CONSENSUS: It was a consensus of the Commission for the City Manager to write the letter with the request as stated.

## **10. FUTURE AGENDA ITEMS AND COMMISSION REPORTS**

### **10.1 Commission**

Commissioner LeHeup-Smith thanked Ann Ivey for the rose in honor of her mother's birthday. She commented positively on her attendance at the League of Cities conference.

Commissioner Cobb also commented on the good takeaways from the League of Cities conference. She stated she would be attending the October IEMO institute for first time commissioners. She asked to schedule a sign workshop for some time in September. She noted that the Commission received some sign ordinances from the City Attorney from other cities.

Commissioner Hawkins asked to have a discussion regarding permits for after-hours events and the special event permit process.

Vice Mayor Lee stated she also enjoyed the League of Cities conference. She asked about the status of the mow to own program with Mr. Carrino responding that has been discussed at the CRA Review Committee meetings and indicated that he needs to schedule the next meeting.

### **City Manager**

Mr. Carrino announced a reception would be held for the grand opening/ribbon cutting for the Bishop family post card collection on Thursday, September 29th at 5:30 p.m. It was agreed to move it to the first meeting in October. He then

commented on the resignation of the east side CRA representative and asked if the Commission wants to advertise the position or have a discussion regarding the CRA community representatives with a consensus to hold a discussion at the next available meeting. He reminded the Commission that the September meetings have been moved to the second and fourth Thursdays.

#### City Attorney

Mr. Schroth asked to schedule a closed session to discuss litigation with a consensus of the Commission for him to schedule the closed session. He then informed the Commission that he had informed Ms. Patel that her next step is to bring forward an offer as the motel is now in full compliance. It was a consensus of the Commission for her to take her offer to the Code Enforcement Board first.

Mr. Schroth stated that it has been at least 16 years since the Commission had a raise in salary. He commented on how the volume of work has increased for the Commission and suggested that the Commission ask staff to see what surrounding cities are paying their legislative bodies. He also noted that in 2008 the Commission did away with the Commissioners receiving health insurance. It was a consensus of the Commission to have staff research what other cities are paying versus their population.

#### Mayor

Mayor Holland announced that Debbie Beard Crow passed away and noted that her grandfather founded Golden Gem in Umatilla. He announced the details of her funeral service and expressed condolences to her family. He then reported on the high school pep rally held in Ferran Park and expressed congratulations to the Events staff. He noted the Principal of Eustis High would like to hold more events in the park for the high school. He stated the League of Cities conference was outstanding. He thanked the residents for allowing him to be reelected without opposition for another four years. He congratulated Bruce Johnson and Gary Ashcraft who are up for election for Commissioner LeHeup-Smith's seat.

### **11. ADJOURNMENT: 9:00 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