



MINUTES

City Commission Meeting

6:00 PM – Thursday, November 06, 2025 – City Hall

Invocation: Deacon Jim Shelley, St. Mary of the Lakes Catholic Church

Pledge of Allegiance: Vice Mayor Gary Ashcraft

Call to Order: 6:03 p.m.

Acknowledge of Quorum and Proper Notice

PRESENT: Vice Mayor Gary Ashcraft, Commissioner Michael Holland, Commissioner Emily Lee, Commissioner George Asbate and Mayor Willie L. Hawkins

1. Agenda Update

Tom Carrino, City Manager, announced Item 2.2 - the update from Mike Goman - had been removed from the agenda in the interest of time.

2. Presentations

2.1 Future Business Leaders of America (FBLA) Check Presentation

Commissioner Asbate presented members of the Eustis High School Future Business Leaders of America (FBLA) with a donation check for \$450. He explained the purpose of the organization.

Student advisor Sonya White thanked the Commission for their support. She announced they will have two additional advisors in the new school year and they now have 42 members.

2.2 Update from Mike Goman

This item was removed from the agenda.

2.3 Storm Recovery Update

Mike Swanson, Fire Chief, provided a storm recovery update. He reported on the various road closures and their status. He explained they are still identifying issues. He reported on the status of the issue at Spring Ridge Estates and commented on the rain event that caused the issues and the cost of the necessary repairs.

Mayor Hawkins thanked the team of responders and commented on how well everyone responded.

Chief Swanson responded the Fire Department received 105 calls for service within a four hour period utilizing only two trucks. He said there were 32 people rescued and housed in their bay until they could get assistance from the Red Cross and LifePointe Church.

3. Audience to be Heard

Cindy Newton, unincorporated Eustis, thanked the Fire Department, the Commission and all responders for their efforts during the rain event. She commented on the Commission's foresight in denying a previous annexation request at Business Loop 44 and DeLand Road and how that might have caused even more problems if it had been approved. She further

commented on the various issues that occurred due to the flooding. She asked the City to check on some retention areas she saw that did not seem to be retaining water. She also expressed concern regarding retention around Chelsea Square.

Johanna Watson, Eustis resident, thanked everyone for the sump pumps on Lake Shore Drive after the flooding. She expressed concern regarding Green Lake Drive and Green Lake. She noted a neighbor whose home flooded due to the road not being maintained. She emphasized the need for something to be done. She also expressed concern that emergency services did not seem to know that her home was there.

Kim Reed, Eustis resident, commented on flooding on her property on Dogwood Lane stating that all of the runoff from Lakeview came across her property and broke her window. She noted that the school had covered up a stormdrain with dirt.

Theo Bob, resident of Spring Ridge Estates neighborhood, thanked the Commissioners and staff for their efforts and indicated they have done an outstanding job helping residents get back in their homes.

Arayma Inman, Umatilla resident, commented on her septic system which she had installed in 2000. She cited personal issues she has had and noted her intent to turn the house into a group home. She indicated someone is working against her but she does not know who it is and asked for assistance.

4. Consent Agenda

4.1 Resolution Number 25-82: Fire Department Purchase of USDD Phoenix G2 Station Alerting System

4.2 Resolution Number 25-85: Authorizing Multiple Annual Purchases in Excess of \$100,000 for Products and Services Essential to the Daily Operations of Public Works

4.3 Resolution Number 25-86: Eustis Police Department Tactical Plate Carriers Grant

4.4 Resolution Number 25-87: Eustis Police Department Lighted Traffic Vest Grant

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

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

5. Ordinances, Public Hearings, & Quasi Judicial Hearings

5.1 Resolution Number 25-97: Emergency Declaration for Spring Ridge Estates

Sasha Garcia, City Attorney, read Resolution Number 25-97 by title: A Resolution of the City Commission of the City of Eustis, Florida, declaring an emergency relating to the Spring Ridge Estates culvert failure and damage to City utilities; ratifying authorization emergency entry upon private property, emergency procurement, and implementation of emergency protective measures; authorizing preparation of a City-HOA emergency entry and cost-recovery agreement; providing for reimbursement and security; preserving eligibility for federal or state assistance if available; acknowledging HOA insurance claims and preventing duplication of benefits; providing for limitation of liability, waiver of formalities, and an effective date.

Attorney Garcia explained the resolution formalizes the City's emergency powers relating to the culvert failure in Spring Ridge Estates. She stated that 21 homes were affected and cited the specific powers and City, County and State actions pursuant to the event. She further

explained what is being approved via the resolution. She stated that staff is requesting authorization to enter into the agreement which will approve securing the area and allow them to enter into an agreement with the HOA for access to the private property and provide services necessary to restore the infrastructure with anything outside the infrastructure cost being the responsibility of the HOA and they would be responsible for reimbursing the City for those costs. She indicated that they have submitted a claim to their insurance which may be used to reimburse the City. The HOA will also need to approve a resolution to enforce a special assessment to reimburse the City or, if that fails, the City will be authorized to levy a special ad valorem assessment for reimbursement of the HOA costs against each property owner. She emphasized the City's desire to get the owners back in their homes as soon as possible and cited the issues involved.

The Commission questioned whether the HOA could get private financing to cover the costs with Mr. Carrino and Mayor Hawkins explaining the need to move quickly and that private financing might be possible but would take more time than they have to get it done.

Attorney Garcia opened the public hearing at 6:40 p.m. There being no public comment, the hearing was closed at 6:40 p.m.

Nick Tonka, representing HOA Board attorney, concurred that the timing would be difficult to obtain private funding.

Rick Gierok, Public Works Director, explained that in addition to the other damage there is a force main in jeopardy. He stated that if the force main is compromised everyone is out of service. He commented that they cannot get a vehicle across to assist with the lift station, which is located on the island. He stated the HOA has enlisted a contractor to put up a dam. He indicated he has been watching it and, just before the meeting, he noted that two of the pumps in use had failed and the dam was breached. He stated the storm culverts have failed even more putting the force main more in jeopardy. He noted he moved some equipment out there to try and protect the force main. He indicated they were able to get the dam secured and the pumps back up. He added he has a contractor bringing more pumps. He stated the water main is lost due to concrete falling and hitting the pipe. He indicated that the water main repair will be fairly simple.

The Commission questioned the cost with Mr. Gierok responding that, if they can move quickly, under \$500,000 but if they lose everything it will be over \$1 million.

The Commission asked how long the funding recovery period would be with Attorney Garcia responding it is a cost to be negotiated. She estimated a five to seven year repayment period. She confirmed that all of the HOA members would be assessed due to it being a common area.

The Commission questioned the time frame for the repairs to be completed with Mr. Gierok estimating two weeks. He indicated that he has a contractor ready to go.

Attorney Garcia added that, once the repairs are completed, maintenance would be the responsibility of the HOA.

Commissioner Asbate expressed concern regarding the legality of utilizing public funds on a private entity and whether it is prevented under state statute Article 7 Section 10. He noted there are other residents whose property was damaged.

Mayor Hawkins noted that City infrastructure is also at risk in this instance. If it fails, 127 residents' homes will be condemned. He emphasized he would not vote no on the proposal.

Commissioner Asbate agreed it is a difficult situation and reiterated his concerns regarding the legalities and asked Attorney Garcia if she had reviewed the HOA documents and confirmed that only the HOA Board has to vote on the resolution.

Attorney Garcia assured the Commission that she had reviewed all of the legalities. She stated that Article 7 Section 10 refers to lending money and she emphasized the City would not be lending the money. She commented on the City's need to provide emergency services and, right now, a fire truck could not get across the bridge. She cited other situations where other agencies have entered into similar agreements. She explained that the City is fronting the money due to the emergency nature and involvement of the City's infrastructure. She stated that the City can't protect the City's infrastructure, provide access to fire or EMS, unless the repairs are done. She emphasized it is legal.

Commissioner Asbate asked what would be the City's protection if the HOA becomes insolvent with Attorney Garcia responding that the City can utilize the special assessment levy which would assess each of the properties individually. She explained the HOA Board would bind all of the property owners. Pursuant to a question from the Commission, she further explained the timeline for repayment.

Motion made by Commissioner Holland, Seconded by Vice Mayor Ashcraft, to approve Resolution Number 25-97. The motion passed on the following vote:

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

RECESS: 7:03 p.m. RECONVENE: 7:07 p.m.

5.2 Resolution Number 25-90: Placement of a Textile Recycling Bin/Shed at the Life Community Church, Inc., 2910 Dillard Road and Determining a Waiver Request

Due to the absence of Attorney Garcia, Mike Lane, Development Services Director, read Resolution Number 25-90 by title: A Resolution of the City Commission of the City of Eustis, Florida, approving a waiver for the size and placement of a textile recycling collection bin/shed at 2910 Dillard Road, pursuant to Ordinance Number 21-07; providing for conditions of approval.

Mr. Lane reviewed Resolution Number 25-90 authorizing the placement of a textile recycling bin/shed at the Life Community Church Inc., located at 2910 Dillard Road. He explained that the Church is seeking approval to authorize a single textile recycling bin and waivers regarding the size, color and signage on the bin. He reviewed the criteria contained in Ordinance 21-07, adopted in 2021, pertaining to textile recycling bins. He stated that the Church, partnering with St. Pauly Textile Inc., placed an 8'x14' shed without realizing the City's bin regulations. He explained the location of the bin on the site and reviewed how the existing bin complies or does not comply with the code. He noted the maximum allowed within the City and stated they would have to come back before the Commission for any additional bins.

Discussion was held regarding the timeline, need to maintain a valid BTR, maintenance of the site, the maximum number of bins allowed within the City and that Code Enforcement can always bring it back if there is an issue.

Discussion was held regarding how the original ordinance was developed and why. It was confirmed that this was brought forward due to a Code Enforcement case.

Attorney Garcia opened the public hearing at 7:22 p.m. There being no public comment, the hearing was closed at 7:22 p.m.

Motion made by Commissioner Holland, Seconded by Commissioner Asbate, to approve Resolution Number 25-90. The motion passed on the following vote:

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

5.3 Resolution Number 25-91: Placement of Textile Recycling Bin/Shed at the Church of the Nazarene, 480 County Road 44 and Determining a Waiver Request

Attorney Garcia read Resolution Number 25-91 by title: A Resolution of the City Commission of the City of Eustis, Florida; approving a waiver for the size and placement of a textile recycling collection bin/shed at 480 County Road 44, pursuant to Ordinance Number 21-07; providing for conditions of approval.

Mr. Lane stated this is a similar situation but a different location, which is Church of the Nazarene. He indicated this one has been in place since May and cited the location of the bin on the site. He stated staff's recommendation for approval.

Attorney Garcia opened the public hearing at 7:24 p.m. There being no public comment, the hearing was closed at 7:24 p.m.

Motion made by Commissioner Holland, Seconded by Commissioner Lee, to approve Resolution Number 25-91. The motion passed on the following vote:

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

5.4 SECOND READING

Ordinance Number 25-37: Residential Backyard Chickens Program

Attorney Garcia read Ordinance Number 25-37 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; creating Chapter 14, entitled "Animals and Fowl," and adding Article II, entitled "Residential Backyard Chickens Program," and creating Section 115-11.8 of the Land Development Regulations, entitled "Backyard Chickens Program Standards"; providing for legislative findings and intent; establishing definitions; providing for permit requirements; providing for standards of care; providing for enforcement and penalties; providing for program review and automatic continuation; providing for severability; providing for conflicts; providing for codification; and providing for an effective date.

Attorney Garcia opened the public hearing at 7:25 p.m. There being no public comment, the hearing was closed at 7:25 p.m.

Motion made by Commissioner Asbate, Seconded by Vice Mayor Ashcraft, to approve Ordinance Number 25-37. The motion passed on the following vote:

Voting Yea: Vice Mayor Ashcraft, Commissioner Asbate, and Mayor Hawkins

Voting Nay: Commissioner Holland, Commissioner Lee

6. Other Business

6.1 Commission Direction to Proceed with Issuance of Request for Proposals (RFP No. 005-25) and Publication of Notice of Intent to Dispose of Property Per \$163.380 – Community Center Redevelopment

Mr. Carrino cited the previous receipt of an unsolicited proposal regarding redevelopment of the City's Community Center site as an upscale boutique hotel. He explained that, any time

the City disposes of property within a CRA, there is a specific process that must be followed. Therefore, the Commission directed staff to put together a Request for Proposals for the Community Center site. As part of that process, the City had to engage in title work to clear a deed restriction on the site. That title work has been completed. Discussion was held regarding having a survey done to tie the actual real estate with the title work. The survey would result in a significant cost. He stated staff is comfortable with moving forward with the title work as provided and leaving it to the buyer to fund the cost for a survey. He indicated staff has prepared a draft Request for Proposal. He provided to the Commission copies of the original 1906 deed and a packet relating to the title work.

Attorney Garcia explained that there was a restriction on the original deed that restricted the use of the property as a park. She reviewed the timeline developed through the title work and what was discovered in the probate records. She commented on there not being a modern legal description and cited the conveyance to the City in 1959 by Daisy Pendleton.

Attorney Garcia noted that the RFP number would change due to the new calendar year coming up with Mr. Carrino stating that there is in the agenda packet the advertised Notice of Intent and the draft Request for Proposal. He indicated that, once approved by the Commission, the Request for Proposal would be issued.

Mayor Hawkins expressed opposition with moving forward with the RFP until they have determined what they will be doing for a Community Center.

Discussion was held regarding the purpose in issuing the RFP with Attorney Garcia explaining the City has a legal requirement to notify the public of its intent to dispose of City-owned property, particularly within the CRA. She explained what would be included within the RFP detailing the information that an application would need to include. She confirmed that the City would not be required to accept any of the proposals received. She commented on how the process might proceed with the proposals to be opened in the public. She also commented on the possibility of someone offering to purchase the land. She emphasized that the City would have to look at the fair market value regardless of how it is disposed of and make sure that the value matches the benefit.

The Commission discussed the benefit to the City of the property becoming taxable, the return on investment, the need to decide about a community center for the residents, and why the City would dispose of the property before making that decision.

Attorney Garcia indicated that the RFP would just be a first step. She explained the intent is to inform the public that the City would accept proposals for use of the property.

Discussion was held regarding whether or not issuing the RFP is premature, not letting go of the community center property until there is a site for a new community building, and postponing consideration of the RFP.

Attorney Garcia noted that the RFP presented is simply a draft for their review and consideration. She expressed concern regarding releasing the RFP prior to the City being ready to part with the property due to applicants expending funds to prepare their proposals.

The Commission asked if the RFP has been issued for the downtown three blocks with Mr. Carrino responding negatively. He stated it would probably not be issued until January following the meeting with Dr. Levey.

Discussion was held regarding how the City went from focusing on the former Waterman site to focusing on the community building site, whether or not they can work on both simultaneously and the need to consider other aspects of the master plan.

Discussion was held regarding taking time to consider the RFP and bring it back and what should be included within the RFP, so the City's expectations are clear to the potential developers.

Attorney Garcia stated the RFP needs to be as solid as possible as the applicants will be putting money and time into responding to the proposal, so the City needs to review those submissions in good faith. She commented that the more accurate they are the better and stated her opinion that they need to be closer to being ready to dispose of the property. She explained that, otherwise, that needs to be included in the RFP, so the applicants understand their financing and guarantors need to be flexible. She confirmed that is included in the current draft.

Further discussion was held regarding the City's plans for the community building and the need for it to be under the City's control, not someone else. Discussion was held regarding postponement, the need for a new community building and the scope of work with Dr. Levey.

CONSENSUS: It was a consensus of the Commission to postpone approval and issuance of the RFP until after the workshop with Dr. Levey.

6.2 Direction to Proceed with Development and Adoption of a Public Records Exemption Request Form and Procedures Pursuant to Senate Bill 268 (2025) and §119.071(4)(d), Florida Statutes

Attorney Garcia noted she had included more information on the following two items since the previous meeting. She discussed the Standardized Public Records Exemption Request Form and procedures. She explained the purpose is to provide staff with an easy way to confirm that a request from a spouse or adult child qualifies for the exemption and to identify the specific information they want to be exempt. She reviewed the changes to exemptions pursuant to Senate Bill 268.

The Commission asked how long such exemption lasts with Attorney Garcia responding it would only be while the related individual is either in office or employed.

CONSENSUS: It was a consensus of the Commission for staff to bring back the form for adoption via resolution.

6.3 Direction to Proceed with Adoption of a Public Records Search Certification Form (Personal Devices/Accounts)

Attorney Garcia explained that the standardized Public Records Search Certification Form would apply to City Officials and staff. She provided an overview of the state requirements regarding public records that may exist on an employee or City official's personal phone or account. She indicated the form would ensure the City has a way of tracking the obligation of the City to perform their due diligence and reasonable diligence and forwarding the records request to the individual whose records are being requested. She reviewed the draft form and how it would be completed and utilized and ultimately submitted to the City Clerk. She stated it would provide confirmation that an individual has done their due diligent search and indicated whether or not they have responsive records and provide documentation for the City Clerk to use to confirm that an appropriate search was completed. She cited related court cases involving the violation of the Public Records Act due to the failure of an entity to provide text messages. She commented on the increase in public records requests.

The Commission discussed the need to comply with state law and how the form will protect the City and officials.

CONSENSUS: It was consensus to have the form adopted via resolution and placed on the Consent Agenda.

7. Future Agenda Items and Comments

7.1 City Commission

Commissioner Holland commented on the recent funeral service of Aaron Bellair and thanked everyone for their participation. He asked Events Director Cheri Moan to comment on the upcoming Veterans event.

Ms. Moan provided an overview of the Salute to Veterans event and activities. She noted their new program called "Wreaths of Honor" to be placed on the veteran's graves in Greenwood Cemetery. She also commented on tours of the Clifford House.

Commissioner Lee expressed appreciation for the progress on the cemetery improvements. She then noted the Eustis in Bloom and Mount Dora Garden Club collaboration. She commented on their attempts to get the downtown merchants to assist with Christmas decorations and cited their future plans for a mural.

Vice Mayor Ashcraft asked for an update on the lakefront dock.

Mr. Carrino reported staff is working with one of the City's contract engineers to engineer plans for both the boat dock and for the sea planes. Those will be brought back to the Commission for consideration.

Vice Mayor Ashcraft provided a report on his trip to Japan for the conference and noted he was able to meet with the Florida Secretary of State during the conference as well as businesses interested in coming to Florida. He commented on the amount of influence Japan has on Florida and cited how interested they are in doing business in Florida.

Commissioner Asbate also commented on the Celebration of Life for Aaron Bellair and complimented Commissioner Holland on his handling of the event.

Mayor Hawkins concurred with Commissioner Asbate about the Celebration of Life and commented on how much Mr. Bellair meant to the Eustis community. He commented on how well the City staff responded to the recent storm and flooding event. He cited the number of calls he has received from other entities indicating that the Commissioners have been interfering in areas where the staff needs to be allowed to act. He emphasized the need to allow City staff to do their jobs. He expressed appreciation to Mr. Carrino and Miranda Burrowes for their work around the City.

7.2 City Manager

Mr. Carrino thanked all of the City staff for their response during the storm event, not only front line, but behind the scenes staff as well.

7.3 City Attorney: None

7.4 Mayor

Commissioner Lee thanked Lifepointe Church and Pastor Rene Hill for their support for the community during the emergency.

Mayor Hawkins commented on a specific situation to assist a family and how Pastor Hill assisted.

8. Adjournment: 8:30 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

WILLIE L. HAWKINS
Mayor/Commissioner