



# MINUTES

## City Commission Meeting

6:00 PM – Thursday, December 14, 2023 – City Hall

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**INVOCATION: MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE: COMMISSIONER NAN COBB**

**CALL TO ORDER: 6:04 P.M.**

**ACKNOWLEDGE OF QUORUM AND PROPER NOTICE**

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

### **1. AGENDA UPDATE**

Tom Carrino, City Manager, announced an item was added to the agenda under Presentations, Item # 3.3, to allow Al Latimer, Economic Development Director, to review a federal grant opportunity for the City.

### **2. APPROVAL OF MINUTES**

#### 2.1 Approval of Minutes

November 16, 2023 City Commission Workshop  
November 16, 2023 City Commission Meeting

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

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

### **3. PRESENTATIONS**

#### 3.1 Organizational Grant: Lake Cares

Mr. Carrino explained the revised organizational grant process and announced that they would be hearing reports from the last two organizations.

Kelsey Gonzales, CEO, Lake Cares Food Pantry, reported on their recent activities and cited the number of Eustis residents served at their various locations including the Eustis schools. She announced they broke ground for their new facility and projected it would be ten months until the facility opens.

Commissioner Hawkins commented on his volunteer work at Lake Cares and presented them with their \$3,750 grant award check.

#### 3.2 Organizational Grant: Bay Street Players

Marie Alberti and James Irving, Board members of Bay Street Players, presented their report regarding the theater's activities including the number of annual attendees, their fund-raiser to assist Lake Cares, the YPT program and school field trips.

Commissioner Hawkins presented Ms. Aliberti and Mr. Irving the check for their organization grant in the amount of \$3,500.

Mayor Holland encouraged the audience to support the theater and asked Ms. Aliberti to report on the Eustis Area Chamber of Commerce activities.

Ms. Aliberti, President of Lake Eustis Area Chamber of Commerce, commented on the Chamber's activities and improvements to their technology. She reported on the the MegaSpace incubator and LEAD working to grow business in Eustis and cited the benefits being provided to local businesses.

#### Presentation regarding EDA grant application

Al Latimer, Director of Economic Development, reported on the Target Industry and Smart Growth Analysis prioritized by the Commission and stated staff has identified an Economic Development Administration grant opportunity. He explained the grant would hire a consultant to conduct the study at a cost of approximately \$120,000. He indicated that the grant has a match requirement of a minimum of 50%. He added they could request a lower match amount and stated that staff has drafted a letter explaining their request for a lower match. He stated they are asking for a 60/40 split. The date for the consultant to start work would be May 1st with an estimated timeframe of twelve months.

Mr. Latimer stated that the grant application is ready to be submitted. He explained that the grant would be a part of helping the City gather data for a more holistic look at the City. He noted the downtown master plan that is being developed and cited the municipal strategic plan, marketing study and various infrastructure projects. He stated the targeted industry smart growth plan would be a complement to those and would identify gaps in the City's market. He added that it would also identify the City's place making assets and community based assets.

Mr. Latimer indicated that, for a 50% match, the City's share would be \$60,000, \$48,000 for a 40% match; \$36,000 for a 30% match and \$24,000 for a 20% match. He stated staff is asking for Commission guidance on moving forward. He noted that the Commission during the budget workshop had set aside \$50,000 for grant matches.

The Commission confirmed that the City did not have to pay for the study upfront but would wait until the grant is awarded.

Mr. Carrino explained that they are asking for permission to apply for the grant and, if it is awarded, then they would bring back a budget amendment for the match and grant award.

**CONSENSUS:** It was a consensus of the Commission for staff to proceed with the grant application.

#### **4. AUDIENCE TO BE HEARD**

Cindy Newton addressed the Commission regarding recent Wekiva River Commission and St. John's governing board meetings at which they discussed water supply and recharge. She distributed to the Commissioners a copy of the St. John's agenda item for approval of the 2023 North Florida Regional Water Supply Plan (2020-2045). She highlighted portions stating that implementation of the supply plan would require local governments to amend their Comprehensive Plans and that their Work Plans would have to demonstrate sufficient water supply for at least the next ten years.

Ms. Newton emphasized the need to increase water recharge and referred to the conclusions contained in the staff report.

William Morey, Springwood Landing, asked that the City consider an ordinance that would address residential light pollution/light trespassing that would limit the amount of light that can pass over a property line from one neighbor to another. He indicated it does not include public lighting or safety lighting. He noted that Lake County does have an ordinance; however, that is not enforceable within the City. He commented on issues he has with that problem and encouraged the City to consider such an ordinance.

The Commission asked the City Attorney to obtain a copy of the County's ordinance.

The following individuals addressed the Commission regarding issues with Sharp's Mobile Home Park management including problems with racism and lack of timely provision of titles to their homes: 1) Laura Nappi; 2) Odalis Rodriguez; 3) Gloria Jusino; 4) Ivan Gonzales and Juan Aguayo. Elis Forman provided translation services to Ms. Rodriguez, Ms. Jusino and Mr. Gonzales.

Mayor Holland explained the Commission could not comment and noted that the City Attorney had heard all of those comments.

Police Chief Craig Capri explained that the department responded to a disturbance at the office. He agreed there is a problem at the park and an issue with drugs. He stated that Hansel Rodriguez needs to be held accountable and the park manager needs to be talked to. If someone is trespassed from the office, they can't pay their lot rent. He added that he did not observe any racist comments; however, the gentleman was trespassed.

Sasha Garcia, City Attorney, stated the issues raised are private matters and there is nothing the City can do. She offered to reach out to the park's attorney and provide information regarding what's going on and provide her with the names of the property owners that were present. She stated the City is limited on what it can do.

Commissioner Hawkins noted he had previously asked for them to come back and provide a status on what is going on in the park.

Attorney Garcia stated she can request that. She reported that the park owners have fully complied with the agreement as of that day. She stated staff has received confirmation that, as of the next day, the lawsuit is done as soon as the release is filed.

Chief Capri stated he would go out to the park to talk to the park manager.

The Commission asked if all of the code violations have been resolved with Attorney Garcia responding there were four violations addressed in the agreement. There are two outstanding but not at the level for litigation. She indicated that the residents can complain to the Dept. of Business & Professional Regulation regarding issues with their rent and title issues. She added they could also contact Legal Aid for assistance with evictions.

Mayor Holland noted that the Commission had been very clear with Mr. Rodriguez that it is a quality of life issue and he still owes the City an explanation for why the residents are living under the conditions they are. He asked her to relay to the park attorney that the City wants the residents to be treated properly.

## **5. CONSENT AGENDA**

### 5.1 Resolution Number 23-44: Rescinding of Lien/Release of Lien - 415 Jennifer Lane, Code Case 11-249

5.2 Resolution Number 23-106: Approving a purchase in excess of \$50,000 for the lease of various holiday decorations

5.3 Resolution Number 23-108: Authorizing the recording of liens on delinquent utility accounts

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

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

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

6.1 Resolution Number 23-104: America-In-Bloom: Clifford House Museum's Grounds and Garden Restoration and Corresponding Budget Amendment

Attorney Garcia announced Resolution Number 23-104: A Resolution of the City Commission of the City of Eustis, Florida, approving the Eustis Historical Museum's grounds restoration project and authorizing an amendment of the 2023-2024 budget for this purpose.

Rick Gierok, Public Works Director, explained that the project is part of the America in Bloom program. He stated the project includes some tree removal and pruning as well as landscaping. He added that it is currently not budgeted and the resolution would add the project to the budget and approve a budget amendment from the General Fund fund balance. He explained they would utilize a landscape architect and reviewed the basics of the project including removal of the existing chain link fence and installation of some furnishings such as benches and tables. He indicated that \$40,000 is for the bed plants due to the existing plants needing to be removed. He cited the possibility of installing a water feature. He estimated the total at approximately \$100,000. He stated it would be funded through a transfer from the General Fund Reserves which currently is sitting at approximately \$15 million.

The Commission asked about the tree removal with Mr. Gierok indicating the camphors which are a nuisance species. He cited two hickory trees which are not in good health; however, the ones that are in good condition would not be removed. He summarized the removal as a magnolia, a palm tree that's in the middle of the oaks, five camphors, a river birch and a sick magnolia. He added that 40 trees would be pruned. He explained the City primarily does pruning based on safety purposes not aesthetics.

Commissioner Hawkins expressed concern with the amount of funding requested.

Discussion was held regarding the lack of tree care which is increasing the required funding and the benefits to the City from the America in Bloom program.

Mayor Holland suggested tabling consideration of Resolution 23-104 and hearing Resolution 23-105 first so they hear Miranda Muir's plans for the museum before making a decision on the budget amendment.

**CONSENSUS:** It was a consensus of the Commission to proceed with Resolution 23-105 first.

Following approval of Resolution Number 23-105, discussion regarding Resolution Number 23-104 was continued.

The Commission questioned if the fence would be replaced with Mr. Gierok responding negatively. Discussion was held regarding use of the home and grounds for events such as weddings. It was noted that people are currently jumping the fence to access the property with homeless people living under the porch.

Commissioner Hawkins announced that his Nay vote was intended for Resolution 23-104, not 23-105, and asked that his vote on 23-105 be changed accordingly.

Mayor Holland expressed agreement with approving Resolution Number 23-104 but suggested that staff reach out to business partners for donations of plants to reduce the cost. He asked that they concentrate on Florida friendly plants as well.

Mr. Gierok said this is a conceptual umbrella as currently there are no funds budgeted for the project. He stated the first step will be to bring on board the landscape architect to make sure they meet the America in Bloom criteria as well as utilize Florida friendly landscaping. He explained how the estimated cost was obtained and how he got involved in the project. He explained issues with people living under the house. He said that bringing people into the grounds may help deter the less desirable activity.

Discussion was held regarding what could possibly be done in house with Mr. Gierok indicating the landscaping cost also includes irrigation not just plantings.

Discussion was held regarding the possibility of applying for some grants to help offset the costs as well as getting plants donated. It was suggested that the resolution be amended to include verbiage limiting the cost and including verbiage pending receipt of grants.

Mr. Carrino proposed not changing the resolution "on the fly" but staff would have direction to look for methods for reducing the cost through grants, donations, etc.

Mr. Gierok suggested getting the landscape architect on board and bring back the design on the beds before getting quotes on those plantings. He indicated staff would not proceed with the installation of the beds without bringing it back to the Commission. He stated that would allow staff to move forward on the trees and getting the landscape architect involved. He affirmed they would get three quotes for the landscaping; however, you can't bid professional services so the landscape architect would be obtained through their continuing services contracts.

Attorney Garcia indicated that the resolution as written would cover what is being discussed. She opened the public hearing at 7:17 p.m. There being no public comment, the hearing was closed at 7:17 p.m.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to approve Resolution Number 23-104. The motion passed on the following vote:

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

## 6.2 Resolution Number 23-105: Fiscal Year 2023-2024 Budget Amendment for the Clifford House Museum

Attorney Garcia announced Resolution Number 23-105: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, authorizing the City's Finance Director to make the necessary budget adjustments to the Fiscal Year 2023-2024 budget to provide funding for the Events & Tourism Department to proceed with needed improvements and future daily operations of the Clifford House Museum.

Miranda Muir, Events & Tourism Manager, noted the Clifford House was not originally under her responsibility. She reported their initial efforts have been to clean and re-organize the house. She stated that their initial plan is to get the downstairs fully painted and cleaned up so that it can be opened for tourists on a regular basis. After that, they would continue with the upstairs on a room by room basis. She added they want to introduce some technology into the

home to attract the younger people to the museum. She stated the short term goal is to get the museum open two to three days per week. She commented on their desire to get school groups into the home as well. She cited the possibility of eventually having a full time employee at the home so that the home stays in better condition. She added their hope to have a grand opening party once the building is ready.

Attorney Garcia opened the public hearing at 7:06 p.m. There being no public comment, the hearing was closed at 7:06 p.m.

Motion made by Commissioner Ashcraft, Seconded by Vice Mayor Lee, to approve Resolution Number 23-105. The motion passed on the following vote:

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

### 6.3 Resolution Number 23-107: Approving Contract with Lake County Sheriff for Provision of 9-1-1 Dispatch Services Migration

Attorney Garcia announced Resolution Number 23-107: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, approving an agreement with the Lake County Sheriff for rendition of Law Enforcement Dispatch Services; authorizing the Mayor to execute said agreement; providing for an effective date.

Police Chief Craig Capri explained the proposal is to outsource the department dispatch to Lake County. He further explained the reason is due to the department's inability to keep up with the technology. He cited how good the Sheriff's Department is to work with and emphasized the City will be saving money while taking care of the department's employees. He stated that they are currently the only City in north Lake County that is not partnering with the County on dispatch.

Attorney Garcia noted that she had not reviewed the contract as her office also represents the Lake County Sheriff's Office.

Captain Meisinger stated the contract is the same as the other cities' contracts other than it is a start-up agreement so it includes start up costs. She said the primary difference is the figures due to differing populations.

Mayor Holland confirmed that the funds saved by moving dispatch to Lake County would stay with the police department.

Mr. Carrino responded that the current year savings would be used for some specific activities within the department. He stated they are not asking for a budget amendment so any savings would stay within the budget amendment.

The Commission confirmed that after hours calls for utility emergencies would go to the County's dispatch center and then be routed to the appropriate City personnel; however, daytime emergency utility calls would still go to the City.

Attorney Garcia opened the public hearing at 7:23 p.m.

Christie Chicarelli, 44 Gables, expressed concern regarding response noting that the City's dispatchers know where she lives and respond quickly.

Captain Meisinger noted that the City dispatchers that want to work with the County are being processed to work for the County. She explained how the system works to facilitate the responses.

Mayor Holland noted that the Fire Department has already been on the same system for some time.

There being no further public comment, the hearing was closed at 7:26 p.m.

Motion made by Commissioner Cobb, Seconded by Vice Mayor Lee, to approve Resolution Number 23-107. The motion passed on the following vote:

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

6.4 Ordinance Number 23-30: **FIRST READING** Conditional Use Permit for Barbed Wire Fencing – ACE Hardware 18691 US Highway 441

Attorney Garcia read Ordinance Number 23-30 by title on first 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.

Mike Lane, Development Services Director, explained the ordinance is for a Conditional Use Permit to allow additional barbed wire fencing behind the Ace Hardware Store located at 18691 US Hwy 441. He commented on the issue with barbed wire fencing on top of a 6' chain link fence behind the Ace Hardware Store in the 44 Gables Subdivision. He stated the store received a notice of code violation and order to correct citing the corrective action required, including permit and application for waiver or variance to keep the barbed wire or remove the newly installed barbed wire. He reviewed the specific details of the property and stated that the Future Land Use is General Commercial and the Design District is Suburban Corridor. He noted that the original fence had barbed wire fencing on top. He indicated that in 2023 the outdoor storage was expanded and the barbed wire fencing and fence were extended to wrap around the rear of the building. He added that the code does allow properties that had barbed wire fencing prior to December 15, 2016 to expand their barbed wire fencing. He explained what is required for approval of a conditional use permit.

Mr. Lane explained staff review of the request and confirmed that proper notice was provided. He stated staff's opinion that the request does meet the requirements of the Land Development Code and Comprehensive Plan. He added that the 44 Gables Homeowner's Association was notified of the request and stated staff's recommendation for approval.

The Commission confirmed that no comments had been received by staff.

Michael Chicarelli, 44 Gables board member, provided a statement from the Homeowner's Association stating that the project was denied by the association as it goes against the bylaws of 44 Gables. He stated it is a deed restricted community and the board will not be responsible for any accidents, injuries up to and including death. He emphasized that the ACC Committee discussed the project and denied it.

Christie Chicarelli confirmed she reached out to the City and indicated she provided copies of the application and photographs and stated the project was done before anything was submitted to the ACC. She indicated the project was denied and explained that the commercial property is part of 44 Gables and the bylaws do not allow barbed wire. She added that it requires two-thirds of the residents in order to change the bylaws. She stated that, even if the City approves the request, it will still be down in the 44 Gables books that it is not approved.

The Commission confirmed that the property already had barbed wire with Ms. Chicarelli stating that the original 1999 plan included barbed wire in the very back portion around the garden center. However, it was not set out 150 plus feet in the eye sight and view close to where people walk through to go shopping.

Mr. Chicarelli noted that another property owner just behind them had requested barbed wire and was angry because his funding fell through.

The Commission questioned if they differentiated between residential and commercial and suggested they consider it.

Mr. and Mrs. Chicarelli explained they cannot get sufficient residents to a meeting to consider a change to the bylaws.

The Commission questioned whether or not the City's approval would supercede the homeowner's association with Attorney Garcia stating she would have to research that issue.

K.D. Carter, owner of Ace Hardware, explained the original barbed wire had been there for 24 years. He explained that in the past 30 days both of his Leesburg and Mount Dora stores have been broken into. He stated it is a matter of public safety. He cited a homeless camp behind Lowe's. He added that, if it is really important to them that they don't do it, then they won't.

Ms. Chicarelli explained that if she could approve it, she would. However, it is a bylaw, deed-restricted community.

Mr. Carter stated he was told that, if the City approved the request, they would remove the violation with Ms. Chicarelli indicating that she told him it would always be denied but the City would carry the responsibility.

There being no further public comment, the hearing was closed at 7:40 p.m.

Motion made by Commissioner Ashcraft to approve Ordinance 23-30 on first reading. Commissioner Cobb seconded the motion.

Mayor Holland opened the floor to further discussion by the Commission.

The Commission questioned the purpose of the barbed wire with Mr. Carter explaining they are asking for approval of the new portion of the fence. He stated there was existing fence with barbed wire and that it would look silly to have the fence extension without barbed wire.

The motion passed on the following vote:

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

## **7. FUTURE AGENDA ITEMS AND COMMENTS**

### **7.1 City Commission**

Commissioner Ashcraft thanked the Events Team for Light Up Eustis. He thanked the City residents for their trust in him and staff for their hard work and support during his first year on the Commission. He thanked the other Commissioners and the City Manager for their assistance. He wished everyone a Merry Christmas and Happy New Year.

Commissioner Hawkins commented on the Commission's previous recognition of Amare. He noted that he recently found out that Amare is the fastest in the country in his category. He expressed concern regarding issues at Palmetto Point with homeless people sleeping there and using the electricity and asked that the City look at solutions.



Mayor Holland asked if locked boxes could be put on the electric outlets with Mr. Gierok indicating that what is there currently do not have locks. He stated that staff could turn off the power to those outlets except for during events.

Commissioner Hawkins cited an issue with littering in a Lake County enclave and a resident who created the issue. He emphasized the need to close the enclaves.

Commissioner Hawkins commented on meetings held with Hand in Hand. He noted they have a landscaping business and cited funds the City has provided to various organizations. He suggested that the City could ask Hand in Hand to do some of the lawn care in the parks and pay them for that rather than donating funds. He then reported on his attendance at a tour of the community clinic and thanked Commissioner Ashcraft for orchestrating the tour.

Commissioner Cobb complimented staff on the Light Up Eustis event and the Library staff on its decorations. She cited the EPD Christmas party. She announced that she would not be seeking re-election in 2024 for the City Commission. She stated that she filed to run for the Florida State House Seat, District 26. She commented on how wonderful her term on the Commission has been and thanked everyone for their patience.

Vice Mayor Lee expressed pride in Amare and indicated that she is attempting to get him enrolled in her alma mater in Baton Rouge. She wished everyone a Merry Christmas.

## **7.2 City Manager**

Mr. Carrino announced he would be out of the office for about a week with Bill Howe serving as Acting City Manager in his absence. He thanked everyone and wished them a great holiday.

## **7.3 City Attorney**

Attorney Garcia wished everyone a happy holiday.

## **7.4 Mayor**

Mayor Holland stated a large number of projects were accomplished in the current year and noted there will be a number of things to finish in the upcoming year. He stated his thought they were finally finishing a lot of outstanding items. He wished everyone a Merry Christmas.

## **8. ADJOURNMENT: 7:57 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