



MINUTES

City Commission Meeting

6:00 PM – Thursday, January 05, 2023 – City Hall

INVOCATION: PASTOR SKOTT JENSEN, EUSTIS FIRST ASSEMBLY OF GOD

PLEDGE OF ALLEGIANCE: VICE MAYOR LEE

CALL TO ORDER

6:01 P.M.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

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

1. AGENDA UPDATE

None

2. APPROVAL OF MINUTES

2.1 Approval of Minutes

October 6, 2022 City Commission Meeting
October 20, 2022 City Commission Meeting
November 17, 2022 City Commission Meeting

A motion was made to approve the Minutes as submitted. Motion made by Vice Mayor Lee, Seconded by Commissioner Hawkins. The motion passed on the following vote:
Voting Yea: Vice Mayor Lee, Commissioner Cobb, Commissioner Hawkins and Mayor Holland

3. OATH OF OFFICE

3.1 SWEARING-IN OF NEW COMMISSIONERS – GARY ASHCRAFT AND MICHAEL HOLLAND

City Clerk Christine Halloran administered the Oath of Office to Commissioners-Elect Gary Ashcraft and Michael Holland.

4. ELECTION OF MAYOR AND VICE MAYOR

4.1 Appointment of City Clerk as Temporary Chairman for Election of Mayor and Vice Mayor

Mayor Holland turned the meeting over to the City Clerk at 6:05 p.m. for election of the Mayor for 2023.

Clerk Halloran reviewed the procedure to be used for the audience. She opened the floor to nominations for Mayor.

Commissioner Cobb nominated Michael Holland for Mayor.

There being no further nominations, Clerk Halloran asked for a nomination to close the nominations.

Commissioner Hawkins moved to close the nominations. Commissioner Lee seconded the motion. The motion to close the nominations passed unanimously on a voice vote.

On a roll call vote, the nomination of Michael Holland as Mayor passed unanimously.

Clerk Halloran turned the meeting back over to Mayor Holland.

Mayor Holland opened the floor to nominations for Vice Mayor.

Commissioner Cobb nominated Emily Lee as Vice Mayor.

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

Commissioner Hawkins moved to close the nominations. Commissioner Cobb seconded the motion. On a voice vote, the motion to close nominations passed unanimously.

On a roll call vote, the nomination of Emily Lee as Vice Mayor passed unanimously.

Mayor Holland and Vice Mayor Lee thanked the rest of the Commission for their faith in them. Mayor Holland welcomed Commissioner Ashcraft to the Commission and thanked retiring Commissioner Karen LeHeup-Smith for her service.

5. PRESENTATIONS

5.1 G3C2 Downtown Master Plan Presentation

Tom Carrino, City Manager, gave a brief history on the selection of G3C2 as the developer for the downtown project and introduced Austin Guenther, representing G3C2, to provide an update on the project.

Mr. Guenther stated that they have determined that a well-informed downtown master plan would be the best way to accomplish a quality development on the 4.8 acres. He explained the goal would be to devote ten months to development of the master plan at the end of which they could enact the catalyst projects identified during the process. He explained there would be four deliverables to be presented throughout the process as follows: 1) downtown snap shot; 2) issues and opportunities identified in the downtown; 3) frameworks to be reviewed by the Commission; and 4) action playbook.

Mr. Guenther presented some examples of deliverables from Leesburg's master plan. He provided a map which will identify key opportunities in the downtown that are ready for redevelopment or development. Those will be prioritized based on their location, necessity and community input. The second will be an identification of demographics obtained through key community meetings with all of the stakeholders including citizens, the Commission and City staff.

Mr. Guenther reported they have interviewed two firms multiple times in order to select a firm to do the master plan. He stated those firms are GAI and MIG and they are recommending the

City select GAI. He then stated the next steps are to draft an agreement between the City and G3C2 LLC so they may manage the process. He explained that Economic Development and the City Manager would oversee the project but it would ease the burden on City staff. The next step would be to make a final selection between GAI and MIG. He indicated they can either answer questions from the Commission or meet with them individually. He added the last step would be to begin the master plan and will take approximately 300 days. He detailed what that would entail. He commented they feel the best plan for everyone is to engage the stakeholders as that is who will benefit the most.

Commissioner Hawkins expressed concern about how long it is taking. He noted that the process began two years ago and now they are looking at another year. He stated that by the time they figure out what their vision is, the vision will have changed. He asked if they can start the process, figure out what they want and then get started rather than waiting two years to get to work on it.

Mr. Guenther responded that there are ways to shorten the process. He explained it is based on their guidance and how they estimated the 300 day timeline. He indicated they can identify separately what may go on those three blocks based on input as they receive it. He stated their goal is to have the development design ready once the plan is completed so they are ready to pull permits. He added that the two year turnaround time is realistic.

Mr. Carrino responded that, while they are all interested in moving forward as quickly as possible, they also realize they only get one shot at getting it right. He stated there were some pitfalls in having the developer pre-design the project and then engage the public. He recommended engaging the public first and working through the master plan. He emphasized that he and staff are committed to moving it forward as quickly as possible and get everything to the Commission as quickly as possible.

Further discussion was held regarding the possibility of missed opportunities and moving forward as possible.

Mr. Carrino cited discussion regarding the need for the City and the CRA to undertake some of the cost. He indicated cost estimates will be coming back to the Commission.

Mr. Guenther indicated that the site specific costs will be related to the community meetings. He commented that, while they will be listening to the community's input, however they may not build exactly what the community wants as it may not be something that is good for the community based on their expertise. He emphasized they will use their expertise and work with their consultants to put a product there that the community will be happy with. He indicated they would bear the cost for that portion of the development and the plan.

Vice Mayor Lee asked how long it will take GAI or the other firm to do their process with Mr. Guenther responding 300 days. He indicated that could be shortened with Vice Mayor Lee expressing support for shortening the process if possible.

Mayor Holland noted that GAI worked with Gladding Jackson on the previous downtown master plan.

??? with GAI explained they will have an architect on board. He stated their intent is to move forward as soon as possible without shortcutting the City. He indicated their hope that they can be ready to move forward as soon as the master plan is complete.

Commissioner Hawkins noted that one of the things the City wants for sure in the downtown is a hotel. He stated that, based on the previous process, they know they have to have the right

fit. He questioned at what point they would determine that and acknowledged there is a shortage of small hotels.

?? explained they would hire a hotel consultant to come in and assess the demographics, what the vacancy rate is, what the right rate for the area is and that will help to determine the brand, number of rooms and price point. He indicated that consultant would be included in the process. He added the master plan would include a complete commercial study, a residential study, a professional office study and a hotel study and the plan would outline where those things should be.

Commissioner Hawkins asked if the master plan would designate the order of things with ??? responding that the Commission will make the final decisions. It will be their plan, not GAI's plan.

Mr. ??? explained they will provide periodic updates to the Commission as they go through development of the plan so they can provide direction.

Commissioner Hawkins asked if it is feasible for the City to designate where they want the hotel and to start it first rather than waiting for everything to be done.

Mr. ?? responded that anything is possible; however, it would be better to obtain the input from the consultant first and let then indicate where the best location would be as that is all they do. He stated that is a catalyst project so it will help provide new energy for the development.

Vice Mayor Lee asked if the consultant would tell them when is the right timing for the hotel with Mr. ?? responding they will tell them whether or not it makes sense to build a hotel now or whether to wait and details about that. He commented on the hotel that would be utilized.

Further discussion was held regarding speeding up the process with Mayor Holland noting they need to determine who they are contracting with. He asked if it would be realistic to have the agreement back at the first meeting in February with Mr. Carrino responding affirmatively.

Commissioner Hawkins noted that Parks and Recreation also wants to do a master plan and questioned whether or not it could be included.

Mr. ?? responded that they could talk to the master plan consultant regarding that.

Discussion was held regarding whether or not the two master plans could be combined with Mr. Carrino indicating that GAI is not specifically a parks and recreation consultant but noted they could bring on a subconsultant to help with that.

Mayor Holland noted that the Commission has an advertised closed session scheduled for following the meeting; therefore, he was trying to keep them on time.

Pete Cyler, Director of Community Solutions Group at GAI, explained their purpose as part of the company and reviewed their personal backgrounds. He noted that, as part of Gladding Jackson, he led the City's downtown plan development in 2008 as well as the conversion of Eustis and Magnolia. He cited other developers they were personally involved with. He emphasized their firm belief to obtain community input prior to professional output. He explained how they work to get to where the City wants to go. Regarding the Parks and Recreation master plan, he stated they have a certified parks and recreation planner executive and noted they did the parks and recreation master plan for Atlanta and they are working on a plan for Jacksonville. He cited other places they are working on their master plans. He indicated that, if selected, they want to be good stewards of the community's vision, the developer's opportunity and their partnership.

6. APPOINTMENTS

6.1 Appointment of East Town Representative to Community Redevelopment Agency (CRA) – Tanya Wilder

Mayor Wilder introduced CRA applicant Tanya Wilder.

A motion was made to approve the appointment of Tanya Wilder as the East Town representative to the CRA. Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee. The motion passed on the following vote:

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

7. CONSENT AGENDA

7.1 2023 City Commission Meeting Schedule

7.2 Resolution Number 22-58: Fire Department Lifepak 15 Monitors

7.3 Resolution Number 23-02: Fire Department Bunker Gear

A motion was made to approve the Consent Agenda as submitted: Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee. The motion passed on the following vote:

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

8. AUDIENCE TO BE HEARD

Pam Rivas congratulated the Commission on the election and selection as Mayor and Vice Mayor. She thanked the community for receiving the Community Service Award and complimented the Commission and staff on their assistance with development.

Gail Isaac-Thomas congratulate Commissioner Ashcraft and Mayor Holland on their election and encouraged Tanya Wilder on her selection as the new East Town CRA Representation. She thanked the Commission for allowing her to serve as the first East Town CRA representative noting that she resigned due to health.

9. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

9.1 Resolution Number 23-01: Lake Sumter Land Transfer

Sasha Garcia, City Attorney, read Resolution Number 23-01: A Resolution of the City Commission of the City of Eustis, Lake County, Florida; approving the land transfer of a four acre parcel of City owned property to Lake Sumter State College to build a commercial driver's license and utility lineworker training facility; authorizing the City Manager to execute all necessary documents associated therewith.

Al Latimer, Economic Director, reviewed the history of the project noting that at the November 17th meeting the Commission directed staff to work with Lake Sumter State College staff to identify a parcel land where they could build a CDL and lineworker training center. He reported that they have identified a parcel of property which they are bringing to the Commission for approval. He explained the location of the parcel and reviewed the highlights of the agreement as follows: 1) Construction must begin within two years; 2) Buildings must be substantially similar to the existing college facilities; 3) There will be a mutually agreed upon closing date within 90 days of the signing of the agreement; 4) The parcel will revert back to the City whenever it ceases to be used as either a CDL or lineworker training center; 5) Each year the College will give the City five slots for CDL training; and 6) The College will record as part of the deed a utility easement for the City. He stated staff's recommendation for approval.

The Commission asked about the five slots and whether they were to be distributed through the high school.

Tom Carrino, City Manager, responded that the intent is for the training of City employees to get CDL licenses.

The Commission questioned why couldn't the City use those for a student with Mr. Carrino stating the way the agreement is written, they are reserving five slots for the City. He indicated that, if the City wanted to provide some of them for a high school student, that could probably happen.

The Commission asked to have that included in the agreement.

Mr. Carrino then reported that Attorney Garcia asked that the closing date be set that night. He stated that the wording of the agreement would be amended to state, "90 days from the execution of the agreement." He added that would not change the resolution. He indicated that, if that turns out to not be realistic, then they will bring it back to the Commission.

Attorney Garcia opened the public hearing at 6:45 p.m. There being no public comment, the hearing was closed at 6:46 p.m.

The Commission asked for clarification as to whether or not high school students would have access to the Foundation funds for scholarships.

Dr. Laura Byrd, LSCC Foundation Secretary, responded affirmatively and explained that the Foundation had committed \$10,000 per year for scholarships to the program.

The Commission questioned if the \$10,000 was for students throughout the County and noted that the City is the one donating the land.

Dr. Byrd stated the Foundation is providing \$10,000 for scholarships to the training center and that any student, including nontraditional students already in the workplace, would have access to those funds.

Mr. Carrino confirmed that, if the Commission so desires, the City's slots could be used for high school students.

Dr. Byrd stated that they are willing to provide five full scholarships for Eustis High School students, in addition to the \$10,000.

Attorney Garcia asked if the five scholarships were in addition to the five slots for City employees.

Mr. Carrino asked to have a Memorandum of Understanding prepared to address the scholarships rather than including it in the real estate agreement.

A motion was made to approve Resolution Number 23-01. Motion made by Commissioner Cobb, Seconded by Vice Mayor Lee.

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

10. OTHER BUSINESS

10.1 Colonial Inn Motel Fine Reduction Discussion

Eric Martin, Code Enforcement Supervisor, explained the item is for the Commission to consider several proposals for reduction in the accrued fines.

Mr. Carrino explained the City had received a request from Nayana Patel to consider several options considering the fines.

Attorney Garcia explained an email was sent for Attorney Derek Schroth regarding the fines that had accrued at different intervals and when the fire extinguisher was actually installed. She explained that the delay was not the Patels fault and if that was taken into consideration it would reduce the number of days.

Nayana Patel reviewed her three proposals as follows: 1) If reduced to \$52,000, they would pay within 24 hours of approval; 2) If the fine is reduce to \$90,000 they could pay within 30 days of approval; or 3) If the fine is not reduced, they would request that they be allowed one year to pay the fine.

Discussion was held regarding whether or not to reduce the fine.

Commissioner Hawkins indicated he would be abstaining from the vote due to having been on the Code Enforcement Board at the time of the original case with Attorney Garcia confirming he could abstain but he could make a statement on the issue.

Commissioner Hawkins asked how much the City has in costs pertaining to the case.

Mr. Martin and Police Chief Craig Capri responded that the total was \$71,132 with Chief Capri commenting on the history of the case and delays caused by supply chain issues. He expressed support for using the \$104,500 for the fine.

The Commission questioned the attorney costs with Attorney Garcia responding \$4,799.

Chief Capri commented he would not want to see them penalized for delays due to the pandemic.

Further discussion was held regarding the amount of the fines with Ms. Patel reporting they have paid approximately \$80,000 on the repairs plus recent purchases for new furniture.

Discussion was also held regarding the history of the case and how the fines reached the amount they did.

The Commission questioned who currently owns and operates the motel with Ms. Patel responding that it is currently in her parents' names and will go to her mother when her father passes. She indicated her brother is handling all of the operations.

Mayor Holland explained that the City cannot charge for the police and fire costs.

Further discussion was further held regarding how the funds spelled on the property should have been done all along. Concern was expressed regarding penalizing those currently operating the business.

Chief Capri emphasized that they will not let any future cases get to this problem and stating they should not punish the Patels as they have done everything the City asked.

Ms. Patel explained that they never got their attorney involved as they knew they were at fault. She asked if they can consider their proposals and emphasized they got everything done within the sixty days they committed to.

Discussion was held regarding how much the fines were and how they continued to accrue with Mr. Carrino indicating that the \$176,000 does not include the legal fees.

Mayor Holland cautioned the Commission that if they make a motion they need to include whether or not Ms. Patel will be allowed to make payments, and, if she can make payments how long would she be allowed to do so.

Attorney Garcia stated that the case is still part of litigation which has been in abatement throughout the process, therefore, any motion today will result in a resolution that would include the specified amount, terms of payment, and direction to the City Attorney to prepare a settlement agreement. That would have to be reviewed by her attorney, remitted to the Court and ratified by the court so that, if there is noncompliance, the City can proceed with foreclosure immediately. Then the case can be dismissed.

Mayor Holland recommended a fine of \$104,000 and allow a year to pay it off.

Attorney Garcia confirmed that it would be a year from when the court settlement is done.

Discussion was held regarding payment terms with Vice Mayor Lee expressing support for the Mayor's recommendation, and Commissioner Cobb agreeing. Commissioner Ashcraft indicated he thought it was still too high.

Attorney Garcia and Mr. Carrino indicated they would prepare the resolution and settlement agreement and schedule it for a future agenda.

11. FUTURE AGENDA ITEMS

12. COMMENTS

12.1 City Commission

Commissioner Ashcraft stated he is honored to be on the dais and ready to work.

Commissioner Cobb asked to have a workshop scheduled on the sign ordinance

Commissioner Hawkins invited everyone to attend the Miracle Football Game at carver park to benefit Runway to Hope. He expressed his thanks for everyone's support. He noted that some of the Predator players and cheerleaders would be in attendance.

Vice Mayor Lee recognized Ann Ivey and Craig Dolan for receiving the Community Service Awards. She commented on the wonderful programs offered at the Library and Parks & Recreation. She asked that the City try and get the CRA conference presenters come to Eustis and provide some presentations to the City.

Commissioner Hawkins noted the police officer that was also honored at the Community Service Awards. He and Mayor Holland asked to have recognitions by the Commission.

12.2 City Manager

Mr. Carrino announced that the Commission retreat would be held Saturday, January 28th, beginning at 8:00 a.m. in the Commission Room. He cited the following planned topics: land use, comprehensive plan, and RRT future land use category. He recommended that they go through the County's process and discuss what's in the County code and look at some of the recent PUD's approved by Lake County. He suggested that they look at what the County has focused on to see if those are similar things they want to focus on.

Mr. Carrino indicated that Vice Mayor Lee had requested an update on the cemetery and stated that could also be included. He requested that, if any of the Commissioners have topics they would like to discuss, that they contact him so staff can prepare information. He noted that the clock dedication ceremony is scheduled for 5:00 p.m. in Ferran Park so they would need to conclude prior to that.

Mr. Carrino then stated that the CRA Board has not met recently so he would like to schedule a meeting for February 16th prior to the regular Commission meeting.

Mr. Carrino commented on the Community Service Awards and stated it is nice to recognize all of the community and business members who have contributed.

Commissioner Hawkins asked to schedule a community cleanup along Palmetto on January 14th and requested that the new CRA Representative assist with getting out volunteers.

Discussion was held regarding scheduling the cleanup closer to the Heritage Festival. The Commission discussed issues with cleaning up the area.

CRA Representative Tanya Wilder indicated she would help get out volunteers.

Vice Mayor Lee commented on how well the Commissioners work together and expressed appreciation for the cooperation.

12.3 City Attorney

None

12.4 Mayor

Mayor Holland announced that the Commission has a closed session next. He thanked everyone for attending the meeting. He thanked George and Doris for sponsoring the various City events at Bay and Lake Pharmacy. He asked to recognize the Events and Tourism Team at the first meeting in February. He noted the number of events the team worked throughout the holiday season.

13. ADJOURNMENT

7:28 p.m.

**These minutes reflect the actions taken and portions of the discussion during the meeting. To review the entire discussion concerning any agenda item, go to www.eustis.org and click on the video for the meeting in question. A DVD of the entire meeting or CD of the entire audio recording of the meeting can be obtained from the office of the City Clerk for a fee.*

CHRISTINE HALLORAN
City Clerk

MICHAEL L. HOLLAND
Mayor/Commissioner