



# MINUTES

## City Commission Meeting

APPROVED 9/21/2023

6:00 PM – Thursday, September 07, 2023 – City Hall

**INVOCATION: PASTOR RICHARD KING, ST. JAMES AME CHURCH**

**PLEDGE OF ALLEGIANCE: COMMISSIONER GARY ASHCRAFT**

**CALL TO ORDER: 6:03 P.M.**

### **ACKNOWLEDGE OF QUORUM AND PROPER NOTICE**

Present: Mr. Gary Ashcraft, Ms. Nan Cobb, Mr. Willie Hawkins, Vice Chair Emily Lee and Chairman Michael Holland

### **1. AGENDA UPDATE**

Tom Carrino, City Manager, requested to move Resolution Number 23-79 to the first item under Section #6 (Public Hearings.)

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

#### 2.1 Approval of Minutes

July 11, 2023 City Commission Budget Workshop  
August 17, 2023 City Commission Meeting

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

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

### **3. PRESENTATIONS**

#### 3.1 Dolly Parton Imagination Library of Lake County, Florida

Debi Weinert from Triangle Community Alliance, Inc., a community partner with the Dollywood Foundation, presented the Dolly Parton Imagination Library of Lake County, Florida. She commented on data compiled from the 2020 Census Lake County and noted stipulations for a minimum of one year funding with a promise or knowledge of future funding. She explained how the program works and the requirement that the children live within the subject zip code. She then reviewed the Alliance's next steps. She stated that she began the program in Tavares and reviewed her progress in enrolling children in Tavares.

The Commission asked what the estimated monthly budget would be with Ms. Weinert stating it would depend on the Commission. If they pick one or both Eustis zip codes, they could place a cap and see how quickly it fills up. The cost per year would be \$32 times the number of children.

The Commission asked if they have the ability to allow people to contribute on a monthly basis with Ms. Weinert responding negatively. She commented on how funds could be raised. She indicated that the Alliance needs confirmation of funding for the second year as well. It was suggested that a "donate now" button could be placed on the website.

Ms. Weinert cited expenses that would need to be charged to all of the participating cities such as copying and printing. She asked about the Commission's ability to provide funding with Mayor Holland asking that each Commissioner contact the City Manager individually to discuss that and the City Manager would then contact her.

### 3.2 Dark Skies

Marty Proctor, Dark Sky advocate from Groveland, presented the Dark Sky initiative in an effort to save dark skies in Lake County. He commented on the efforts to promote adoption of local ordinances that follow the Dark Sky protections. Mr. Proctor remarked that light pollution is increasing at a rate of 2% per year. He cited the issues with light pollution including glow (dome of brightness), glare (blinding light) and trespass (property rights) and commented on solutions, including better fixture design, modern lighting control and proper color protection. He stated that LED streetlights are one of the worst problems.

Mr. Proctor then reviewed nature issues created by light pollution including tree budding which affects pollinators, bird migration and attraction of insects and their predators. He explained how more lighting is not actually safer due to glare. He cited various light pollution solutions including motion sensors and dimmers, shielding, color temperature, intensity and timing.

Mr. Proctor reviewed the history of dark sky programs and explained what is available through the local electric companies. He also cited products available at the local home improvement stores which are labeled "dark sky approved". He commented on Groveland's ordinance and the need for an ordinance to be legal and enforceable. He cited publicity concerning Groveland's Dark Sky Lighting Ordinance and the city becoming a Dark Sky Community.

The Commissioners asked about Groveland's efforts to promote compliance within previous developments and the cost of the lighting in comparison to traditional lighting options.

Mr. Proctor responded there is a timeline for compliance with five years for commercial and ten years for residential. He explained that most of the lighting fixtures fail within five to ten years and they will be required to be brought into compliance when they fail. Regarding the cost, Mr. Proctor stated he did not have specific information; however, in general, the price of the fixture itself is small compared to the cost of installation and the pole.

The Commission asked if Duke Energy has them readily available with Mr. Proctor responding affirmatively. He noted that Florida DOT also has them.

The Commission asked if he has presented to the Lake County Commission with Mr. Proctor responding that he has spoken with them individually but he has not presented to them. He indicated his belief that local government is more important for the issue than the county.

### 3.3 Carver Park Basketball Shade Structure

Craig Dolan, Parks and Recreation Director, explained the Carver Park Basketball Courts Shade Structure project. He provided an aerial view of the location as well as a view from the north, the conceptual design and examples of structures. He stated that currently both courts are lighted and lighting can be added or moved. He commented that fans could also be added. He then reviewed the potential costs and various options with costs ranging from \$120,000 for the building alone without installation to \$390,000 for a turn key situation.

The Commission asked about expenses, safety of the uprights, padding protection around the uprights and additional lighting costs.

Mr. Dolan responded that the courts are currently lighted from dusk to 10 p.m. so expenses for lighting usage would be similar.

Mr. Carrino confirmed that the padding around the uprights would be an additional cost with Mr. Dolan indicating it wouldn't be a significant increase.

Discussion was held regarding the fans with Mr. Dolan confirming that the \$390,000 cost includes lighting and fans.

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

Robert Rude addressed the Commission regarding a meeting held at Sharps Mobile Home Park the previous day. He stated that the owners have informed the residents that the City is fining them and they are going to pass those costs on to the residents. He also stated that they have sent a number of emails to the City Attorney and City Manager and the City has not responded. He indicated they said they have offered to do over and above the code violations but the fines are continuing to accrue.

Mr. Rude stated that he addressed the issue with the company and convinced them to let him take over the project. He said he met with Eric Martin who told him he was not in a position to tell them what to do to make it right. Mr. Rude said he told Mr. Martin they want to repave the whole place and was told that Mr. Martin couldn't give him a permit to do that. He further commented on the lack of response from the City regarding the code enforcement issues. He stated his belief that the City wants to continue to fine them so the City can take over the property.

Sasha Garcia, City Attorney, stated the City is in current litigation with Sharps and, therefore, cannot speak on the issue. She stated he is welcome to check the public record regarding the litigation.

Jane Hepting addressed the Commission regarding whether or not annexations are good for the City. She urged the Commission to contact Strong Towns to assist with a cost benefit analysis regarding urban development. She further recommended that the Commission and concerned residents attend workshops to be presented by the East Central Florida Regional Planning Council on November 1st. She also recommended that the City invite the East Central Florida Regional Planning Council to meet and discuss amending the City's Joint Planning Area agreement. She cited other Lake County cities in the process of amending their JPA's.

Bryan Broomfield commented on the August Fest event hosted on August 26th by St. James AME Church to attempt to bridge the gap and strengthen relationships between the City and community. He thanked all of the agencies that participated in the event. He noted that it was free to everyone that attended. He commented on a tragic event that occurred in Jacksonville the same day. He encouraged all of the City officials to attend any future events and cited the moral and social responsibility of all to work together.

Pastor Richard King, St. James A.M.E. Church, thanked the Mayor, Commissioners and others for their participation in August Fest and their efforts to work with the community. He stated he looks forward to working with all of them to make a difference.

Eileen Fontaine commented on the Sharps Park issues being addressed by the City and thanked the City for their assistance with the improvements being completed. She indicated a lot has been accomplished.

Amy Baker commented on the Sharps Park Town Hall meeting with owner Hansel Rodriguez. She cited 54 code violations in Sharps Circle and resolution of those issues. She indicated that 53 of the 54 violations have been brought into compliance. She stated the 54th violation is the roads. She noted frustration with the City Commission and expressed concern regarding

Code Enforcement's actions. She emphasized that the residents want the park to stay and expressed concern that the City is no longer behind the residents.

Mayor Holland suggested Ms. Baker communicate with the City Attorney regarding the issues.

## **5. CONSENT AGENDA**

### **5.1 Resolution Number 23-80: GIS On-Call Services Contract Amendment #2**

### **5.2 Resolution Number 23-81: Release of Lien for 432 N Eustis Street**

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

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

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

### **6.1 Resolution Number 23-79: City and LSSC Education Development Agreement First Amendment**

Attorney Garcia announced Resolution Number 23-79: A Resolution of the City Commission of the City of Eustis, Lake County, Florida; approving the first amendment to the Educational Development Agreement between the City of Eustis and Lake-Sumter State College Foundation, Inc., and the District Board of Trustees of Lake-Sumter State College concerning the conveyance of a four-acre parcel of City-owned property to build a commercial driver's license and utility lineworker training facility; authorizing the City Manager to execute all necessary documents associated therewith; and providing for an effective date.

Al Latimer, Economic Development Director, reviewed the proposed six amendments as follows: 1) The College will, in writing, request City approval for an alternate educational use of the property; 2) All notes shall be sent in writing via certified mail; 3) Extending the closing date for the property but not later than September 21, 2023; 4) Property will be conveyed to Lake-Sumter State College, not the College's Foundation; 5) The College will not transfer the property without written approval of the City; and the reversionary language revision will be included in the deed; and 6) If the College fails to comply with any terms of the agreement, then the property will revert to the City. He stated staff's recommendation for approval.

Mayor Holland thanked staff and Dr. Bigard for their work on the agreement.

The Commission asked if the agreement would prohibit the College from using the property as collateral for financing with Attorney Garcia responding there is language in the agreement to allow the College to obtain funding and grants.

Attorney Garcia opened the public hearing at 6:59 p.m. There being no public comment, the hearing was closed at 7:00 p.m.

Motion made by Commissioner Cobb, Seconded by Vice Mayor Lee, to approve Resolution Number 23-79. The motion passed on the following vote:

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

### **6.2 SECOND READING**

### **Ordinance Number 23-22: Conditional Use Permit for an Accessory Dwelling Unit at 34534 Estes Road**

Attorney Garcia, read the Ordinance Number 23-22 by title on second and final reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida, approving a conditional use permit for an accessory dwelling unit to an existing single-family residence in the Rural Residential (RR) future land use district on approximately 1.0 acres located at 34534 Estes Rd (Alternate Key Number 1461600).

Attorney Garcia opened the public hearing at 7:01 p.m. There being no public comment, the hearing was closed at 7:01 p.m.

Motion made by Commissioner Cobb, Seconded by Commissioner Ashcraft, to adopt Ordinance Number 23-22 on final reading. The motion passed on the following vote:

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

### **6.3 FIRST READING**

#### **Ordinance Numbers 23-15, 23-16 and 23-17: Explanation of Ordinances for Annexation of Parcels with Alternate Key 1213177**

*Ordinance Number 23-15 – Voluntary Annexation*

*Ordinance Number 23-16 – Comprehensive Plan Amendment*

*Ordinance Number 23-17 – Design District Assignment*

Attorney Garcia read Ordinance Number 23-15 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 4.63 acres of real property at Alternate Key Number 1213177, generally located at the northeast corner of CR44 at the intersection with South Fishcamp Road.

Jeff Richardson, Deputy Director Development Services, presented proposed Ordinance Numbers 23-15, 23-16 and 23-17 for the annexation, future land use assignment and design district assignment for property located at County Road 44, at South Fish Camp Road (Alternate Key Number 1213177). He reviewed the request and explained staff's review of the annexation and affiliated future land use and design district designations. He indicated the current future land use designation is Urban Low in Lake County which allows up to four dwelling units per acre and limited commercial uses. He explained the proposed land use designation of Mixed Commercial would allow up to 12 dwelling units per acre, single family, office and commercial and is intended as a mixed use district. He stated the request is in keeping with the surrounding future land uses and is compatible.

Mr. Richardson explained staff's review as it pertains to utilities, natural environmental features, transportation, recharge areas, and soil types. He stated the requested design district is Suburban Corridor which is what the properties directly to the east and south are also assigned. He confirmed the notices, mailings and signage were done as required. He stated staff's recommendation for approval.

Attorney Garcia opened the public hearing at 7:07 p.m.

Ryan Solstice, LPG Urban and Regional Planners, was present representing the applicant. He stated he has the conceptual plan and met with Seth Lynch at Lake County Public Works. He confirmed they would be dedicating 21 feet of right-of-way on South Fishcamp Road to improve the intersection as well as 16 feet of right-of-way on CR44. He explained that what is being proposed is the outdoor sale of sheds as well as indoor RV and boat storage.

The Commission asked where the access would be located with Mr. Solstice responding it will be off of Fishcamp Road. He reviewed the access location as it relates to the Dollar General.

The Commission asked about the resident that lives on the upper left with Mr. Solstice responding they will be providing a ten-foot buffer with a six-foot fence.

There being no further public comment, the hearing was closed at 7:09 p.m.

Motion made by Commissioner Ashcraft, Seconded by Commissioner Hawkins, to approve Ordinance Number 23-15 on first reading. The motion passed on the following vote:

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

#### **6.4 FIRST READING**

##### **Ordinance Number 23-16: Comprehensive Plan Amendment - Future Land Use**

Attorney Garcia read Ordinance Number 23-16 on first 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 F.S.; changing the future land use designation of approximately 4.63 acres of real property at Alternate Key Number 1213177, generally located at the northeast corner of CR 44 at the intersection with South Fishcamp Road, from Urban Low in Lake County to Mixed Commercial Residential in the City of Eustis.

Attorney Garcia opened the public hearing at 7:10 p.m. There being no public comment, the public hearing was closed at 7:11 p.m.

Motion made by Commissioner Hawkins, Seconded by Commissioner Ashcraft, to approve Ordinance Number 23-16 on first reading. The motion passed on the following vote:

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

#### **6.5 FIRST READING**

##### **Ordinance Number 23-17: Design District Designation**

Attorney Garcia read Ordinance Number 23-17 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Corridor design district designation to approximately 4.63 acres of recently annexed real property at Alternate Key Number 1213177, generally located at the northeast corner of CR 44 at the intersection with South Fishcamp Road.

Attorney Garcia opened the public hearing at 7:11 p.m. There being no public comment, the hearing was closed at 7:11 p.m.

Motion made by Commissioner Hawkins, Seconded by Commissioner Cobb, to approve Ordinance Number 23-17 on first reading. The motion passed on the following vote:

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

#### **6.6 Resolution Number 23-75: FY 2024 Tentative Millage Hearing**

Attorney Garcia announced Resolution Number 23-75: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the tentative millage level of ad valorem taxes for the City of Eustis, Lake County, for the Fiscal Year 2023-2024, providing for an effective date.

Mike Sheppard, Finance Director, presented a general overview of the remaining budget process for 2023-2024 and the budget methodology for the General Fund Budget Summary. He reviewed the budget's significant factors including the following: 1) Increase in health insurance cost by 6.75%; 2) 5% COLA plus \$1,000 in salary increases in order to implement the \$15 minimum wage; 3) Estimated state shared revenues; 4) Property insurance and worker's compensation increase of 8.59%; 5) Fire Pension contribution decreased by .7% and the Police Pension contribution increased by .86%; 6) Numerous promotions and new positions in Public Works; 7) New position in Fire Department; and 8) new Finance Director.

Mr. Sheppard explained the Capital Improvement Fund is funded by the One Cent Sales Tax shared with Lake County and the School Board. He then reviewed Total Revenues noting that charges for services is the highest with the second largest being ad valorem revenue. He provided a breakdown of the revenues for the General Fund and an overview of the General Fund expenditures.

Mr. Sheppard then provided a review of the Community Redevelopment Agency budget. He stated the City is proposing a millage rate of 7.581 which is the same as the previous year. He explained they are budgeting at 95% for a total ad valorem budgeted of \$10,213,000. He indicated that the City will receive approximately \$1 million more in revenues in the next fiscal year.

Mr. Sheppard explained how the millage rate versus the roll back rate would affect a property owner with a home valued at \$200,000 and reviewed how property taxes are calculated. He then showed the impact of one mil on the General Fund. He provided a comparison of the various cities' millage rates and explained the functional millage rate. He noted other cities also have other charges including fire assessment fees and other utilities that the City does not have.

Mr. Carrino explained that, while the City has the highest millage rate, it does not have separate charges for fire assessment and has the lowest transfer from the utility fund which results in the City having the lowest functional millage rate.

Mr. Sheppard provided an overview of the past ten years change in taxable value. He provided a comparison of per capita expenditures which shows the City has the lowest per capita in expenditures.

Mr. Carrino commented on how much the City provides to the residents for a very reasonable cost.

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

Mr. Sheppard summarized that they are proposing a tentative millage rate of 7.581, which is greater than the rolled-back rate of 7.0158 mils and increases taxes by 9.3%.

Mr. Carrino explained that the City is keeping the millage rate steady as it has for the past nine years; however, pursuant to state law it must be advertised as a tax increase.

Motion made by Commissioner Hawkins, Seconded by Commissioner Ashcraft, to approve Resolution Number 23-75 setting the tentative millage rate at 7.5810. The motion passed on the following vote:

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

## 6.7 Resolution Number 23-76: FY 2024 Tentative Budget Adoption

Attorney Garcia announced Resolution Number 23-76: A Resolution by the City Commission of the City of Eustis, Lake County, Florida, adopting the tentative budget for the Fiscal Year 2023-2024, providing for an effective date.

Mr. Sheppard presented the tentative budget. He stated the surplus in the General Fund will be approximately \$432,000. He noted there are some funds in the current year are spending more than the revenue that is derived. He explained those funds are intended to get the money in and spend it out and are allowed to have negative expenditures for the fiscal year as long as there are funds in Fund Balance. He stated the tentative budget is based on the tentative millage rate of 7.581.

Attorney Garcia opened the public hearing at 7:28 p.m. There being no public comment, the hearing was closed at 7:28 p.m.

Motion made by Vice Mayor Lee, Seconded by Commissioner Hawkins, to approve Resolution Number 23-76 adopting the tentative budget. The motion passed on the following vote:

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

Mayor Holland explained for the public the number of workshops the Commission held to review the millage rate and budget. He thanked Mr. Sheppard for his work on the budget.

### **7. OTHER BUSINESS: None**

### **8. FUTURE AGENDA ITEMS**

### **9. COMMENTS**

#### **9.1 City Commission**

Commissioner Hawkins reminded everyone about the Panther Pride in the Park event and encouraged them to participate and/or donate.

Mayor Holland commented on the deficits with the athletic equipment at Eustis High School. He urged everyone, if they cannot attend the event, please make a donation to the high school athletic program.

At a request from the audience, Commissioner Hawkins explained they are needing to raise at least \$25 - \$30,000 and hope to raise more.

Commissioner Hawkins commented on the upcoming Comedy Show and introduced Darius Kerrison.

Mr. Kerrison stated the 8th anniversary of the Laugh Out Loud Comedy event would be held in Ferran Park on September 9, 2023. He thanked the City and Parks and Recreation for their partnership and cited some of the performers.

Commissioner Hawkins thanked Commissioner Ashcraft for his efforts to obtain a significant donation for the Panther Pride program. He then announced he would not be attending the next Commission meeting. He noted that Tom Carrino has been the City Manager for almost two years. He asked to have a conversation regarding a pay increase for Mr. Carrino and expressed his support for an increase in his compensation.



Mayor Holland asked the rest of the Commission to discuss that with the Human Resources Director Bill Howe regarding how much they think would be appropriate and then it could be discussed on the 21st.

Vice Mayor Lee thanked Pastor King for the August Fest event and encouraged them to continue those events. She expressed support for the City being a part of those events. She agreed with Commissioner Hawkins regarding a salary increase for the City Manager.

Commissioner Ashcraft asked to have a discussion regarding the investment of the City's reserve funds. He noted that he is continuing to receive comments regarding the City's development and, in particular, the densities. He asked to have discussion regarding development and densities.

Commissioner Cobb mentioned she had already reached out to the Development Services Director Mike Lane. She commented that the City has a density designation of up to 5 units per acre. She stated she asked him to do a comparison with other area large cities and their suburban residential densities as well as their standard lot sizes. She expressed agreement with considering amending the City's densities.

Commissioner Cobb reported she contacted Nancy Dodd with Duke Energy regarding deficiencies in the City's streetlighting. She stated that Ms. Dodd contacted their lighting specialist and noted that the police department does report lights that have gone out. She indicated her concern was with crooked poles and confirmed that Duke is working on the problem.

Commissioner Cobb questioned whether or not staff is working on the issue of City property located to the east that has an alternate key number that crosses the road.

Mr. Carrino reported that staff is working on it and indicated that Project Manager Mike Brisson has surveying skills and is working to resolve the issue.

Commissioner Cobb commented on her attendance at August Fest and complimented the church and Pastor King on the event. She reported on her attendance at various events including the bear-proofing trash can event and the Eustis Junior Panthers game.

## **9.2 City Manager**

Mr. Carrino thanked Florida Fish and Wildlife and Commissioner Hawkins for their assistance with the bear-proofing event. He thanked staff and the Commission for their involvement in the budget process and cited the four budget workshops.

## **9.3 City Attorney: None**

## **9.4 Mayor**

Mayor Holland announced the upcoming 9/11 remembrance service in Tavares at the historical courthouse. He noted the Eustis Panthers would play the Tavares Bulldogs in Tavares on Friday. He reminded the Commission about the evaluation forms for the City Manager. He indicated they do not have to complete the forms if they do not want to but if they want to they need to be in by the following Wednesday. He noted they also have forms for the City Attorney and those need to be submitted as well.

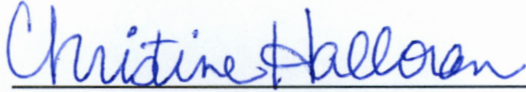
Mayor Holland then asked the Commission to combine the December meetings and only hold one meeting that month on December 14th.

**CONSENSUS:** It was a consensus of the Commission to combine the two December meetings into one to be held on December 14th.

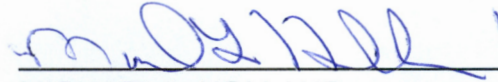
Mayor Holland thanked everyone for attending, stated his pride in the Commission and expressed congratulations to Lake Sumter State College.

**10. ADJOURNMENT: 7:49 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.*



CHRISTINE HALLORAN  
City Clerk



MICHAEL L. HOLLAND  
Mayor/Commissioner