



MINUTES

City Commission Meeting

APPROVED 1/19/2023

6:00 PM – Thursday, December 01, 2022 – City Hall

INVOCATION: A moment of silence was observed.

PLEDGE OF ALLEGIANCE: COMMISSIONER COBB

CALL TO ORDER: 6:02 p.m.

ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

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

1. AGENDA UPDATE

Tom Carrino, City Manager, announced that items 6.2 through 6.5 (Ordinances 22-24, 22-27, 22-30 and 22-33) would be removed from the agenda due to the actions taken at the Local Planning Agency meeting.

2. APPROVAL OF MINUTES

2.1 Approval of Minutes:

August 4, 2022 City Commission Workshop
October 18, 2022 City Commission Town Hall Meeting

A motion was made to approve the Minutes as submitted. Motion made by Commissioner Hawkins, Seconded by Vice Mayor Lee.

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

3. PRESENTATIONS

3.1 Proclamation: Rotary Club of Eustis 100th Anniversary Celebration

Mayor Holland read a proclamation recognizing the Rotary Club of Eustis for its 100 years of service to the community. He announced that a 10-foot high clock was being installed in Ferran Park to recognize the organization and thanked its members for all they do for the City.

4. AUDIENCE TO BE HEARD

Rick Gonzales addressed the Commission regarding Blue Lake. He commented on the depth of the lake and indicated that the lake has risen significantly since Blue Lake Estates was constructed. He indicated that several years previous someone listened to complaints by the Blue Lake residents and drew down the lake. He complained that since then the lake is infested with Cuban bullrush and lily pads. He stated his belief that the weeds were introduced during the drawdown and asked that the City fix the problem. He added that employees from Fish & Game have also speculated that it was introduced during the drawdown. He stated that he was told that the bullrush will invade the entire lake over time if not eradicated. He reported that he has spent his own money removing what he could as have some other residents.

Commissioner Hawkins asked about if there was any bull rush prior to draw down with Mr. Gonzalez responding he did not observe any prior to the drawdown.

Mr. Carrino noted he had forwarded Mr. Gonzalez's email to the Commission and noted there is some precedence with the City assisting with the clean up of Lake Gracie. He stated that at Lake Gracie the residents paid someone to come in and clean out the lake with the City doing the disposal. He indicated he would meet with Rick Gierok to see what could be done.

Mr. Gonzalez responded that he did not expect that anyone from the Blue Lake Estates HOA would agree to assist with that. He noted they own about 1/3 of the lakeshore.

The Commission indicated that Lake County Water Authority might be able to help with Mr. Gonzalez stating that he hired someone from Fish & Game to do his spraying and was told the plants would die and just go to the bottom and rot so he had to pay someone else to remove the vegetation.

Mr. Carrino added that an issue with Blue Lake is that the ownership of the parcels goes to the center of the lake which may affect what can be done. He stated that in most cases the lakes are the property of the State of Florida but not in the case of Blue Lake. He indicated that they could not, at that time, agree to what the City can do but it would be reasonable to sit down and talk.

Mr. Carrino noted that Nayana Patel submitted a card to speak under Audience to be Heard; however, the City Attorney has a report regarding the Colonial Inn motel at the end of the meeting so he recommended allowing Ms. Patel to speak at that time.

5. CONSENT AGENDA

5.1 Resolution Number 22-89: Eustis City Attorney Services Agreement

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

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

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

6.1 Ordinance Number 22-37: 2nd Reading Planned Unit Development Overlay and Master Plan for the Taylor Morrison Planned Unit Development

Derek Schroth, City Attorney, read Ordinance Number 22-37 by title on second reading: An Ordinance of the City Commission of the City of Eustis, Florida, approving a Planned Unit Development (PUD) overlay for TM Multi-family PUD pursuant to Section 102-29 and 109-2.8 of the Land Development Regulations; approving a Planned Unit Development (PUD) master plan for a 213-unit single-story multi-family project on 24.94 gross acres on the south side of Waycross Avenue and west side of SR 44, establishing permitted uses and development standards, providing for a PD master plan, providing for conditions of approval, providing for severability and an effective date. He noted the change in the number of units from 230 to 213.

Mr. Carrino reported that due to changes made in the ordinance Development Services would be doing a presentation.

Jeff Richardson, Development Services Deputy Director, reviewed the ordinance revisions as follows: 1) Reduction in number of units from 230 to 213 on both page 1 and 4 of the ordinance; 2) Page 3 - Addition of Parks and Recreational Facilities to the list of Permitted

Uses; 3) Page 4 - Density reduced from 9.22 dwelling units/acre to 8.54 dwelling units/acre; and 4) Height of wall that borders 44 Gables changed from 6 feet to 8 feet.

Mr. Carrino stated the applicant would be providing a presentation. He reminded the Commission when they consider the ordinance, they consider the updated version.

Mr. Schroth opened the floor to the applicant.

Carolyn Haslam, Akerman, provided highlights concerning the updates related to Commission and community comments since the first reading. She reported they have scheduled a community meeting for December 14 at 6 p.m. at City Hall. She indicated they have been working with the staff on the notice requirements in order to meet the deadline. She provided a map of the revised site plan using the 213 units. She noted they did look at lowering to 200; however, the increased costs in the industry would not allow that. She then commented on the wall request citing the comments on the wall matching the Lowe's wall so they increased the height. She noted the comments regarding the planned gate so they have been working with City staff to try and utilize a semi-permanent wall which would allow City access but would not look accessible. She thanked staff for their assistance through the process.

Mr. Schroth opened the public hearing at 6:22 p.m.

The following individuals addressed the Commission regarding Ordinance 22-37: 1) Victor Torres; 2) Celeste Raulerson; 3) Cindy Newton; and 4) Maria Torres.

Ms. Haslam responded to some of the comments noting that the expected demographics for the development are millennials and retirees who have a higher than average income for the area. She added their rents will not be lower than the average for the area.

The Commission asked if it is cheaper to live in Lake County or Orange County with Ms. Haslam indicating it is definitely lower in Lake County.

The Commission commented on their expectations regarding the quality of the development. They then confirmed that it is not intended to become an affordable housing development.

Mr. Schroth closed the public hearing at 6:33 p.m.

A motion was made to adopt Ordinance Number 22-37 on second and final reading. Motion made by Commissioner Hawkins, Seconded by Commissioner Cobb.

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

6.2 Ordinance Numbers 22-23, 22-24 and 22-25: 1st Reading Consideration of Ordinances for certain real property located along Lake Lincoln Lane (19621 Lake Lincoln Lane, Alternate Key Numbers 1814367 and 2880228).

Ordinance Number 22-23 – Voluntary Annexation

Ordinance Number 22-24 – Comprehensive Plan Map Amendment

Ordinance Number 22-25 – Design District Assignment

This item was removed from the agenda due to the action taken by the Local Planning Agency.

6.3 Ordinance Numbers 22-26, 22-27 and 22-28: 1st Reading Consideration of Ordinances for certain real property located along Lake Lincoln Lane (19703 Lake Lincoln Lane, Alternate Key Number 2869348)

Ordinance Number 22-26 – Voluntary Annexation

Ordinance Number 22-27 – Comprehensive Plan Map Amendment

Ordinance Number 22-28 – Design District Assignment

This item was removed from the agenda due to action taken by the Local Planning Agency.

6.4 Ordinance Numbers 22-29, 22-30 and 22-31: 1st Reading Consideration of Ordinances for certain real property located along Lake Lincoln Lane (35145 Marshall Rd, Alternate Key Number 1123232)

Ordinance Number 22-29 – Voluntary Annexation

Ordinance Number 22-30 – Comprehensive Plan Map Amendment

Ordinance Number 22-31 – Design District Assignment

This item was removed from the agenda due to action taken by the Local Planning Agency.

6.5 Ordinance Numbers 22-32, 22-33 and 22-34: 1st Reading Consideration of Ordinances for certain real property located along Lake Lincoln Lane (east side of Marshall Rd, Alternate Key Number 1039550)

Ordinance Number 22-32 – Voluntary Annexation

Ordinance Number 22-33 – Comprehensive Plan Map Amendment

Ordinance Number 22-34 – Design District Assignment

This item was removed from the agenda due to action taken by the Local Planning Agency.

7. OTHER BUSINESS

7.1 Acceptance of 2022 City Commission Election Results

Mayor Holland stated the Commission has before them the results of the 2022 City Commission election as certified by the Lake County Canvassing Board. He asked for acceptance of the results as presented.

On a voice vote, the Commission accepted the results as presented.

Mayor Holland welcomed Gary Ashcraft as the new Commissioner.

8. FUTURE AGENDA ITEMS: None

9. COMMENTS

9.1 City Commission

Commissioner Cobb requested an update on the islands from Public Works. She announced an America in Bloom meeting would be held the following week and indicated she would be attending along with Vice Mayor Lee. She complimented staff on Light up Eustis.

Commissioner Hawkins thanked Commissioner Cobb for decorating the tree for the Lake Cares fundraising campaign. He complimented City staff for their team efforts and highlighted Chief Swanson for visiting a community member in hospital. He also complimented staff on the Light Up Eustis event. He then commented on the poor sound system in the park and asked that it get fixed.

Commissioner Cobb agreed and they asked that it be put in the budget and fixed before Georgefest.

Commissioner Hawkins asked for an update on the plans for the former Waterman site properties.

Commissioner LeHeup-Smith also complimented staff on the Light Up event. She commented on new businesses in the downtown including Backfin and Chris' Place. She suggested that the City consider amending the charter to have newly elected Commissioners come on board right after the election rather than in January. She cited the number of programs being offered in the City particularly through the Library and Parks & Recreation.

Mayor Holland noted that Commissioner LeHeup-Smith's last meeting would be December 13th and encouraged everyone to come out and say goodbye.

Vice Mayor Lee commented on all of the families that attended Light Up and complimented staff on the event. She requested to receive an update on the Cemetery. She also asked for an update on the downtown project.

Mr. Carrino informed Rick Gierok that Commissioner Cobb had requested an update on the island improvement.

Mr. Gierok acknowledged staff is behind on that project. He indicated a staff member has been assigned to the project and they have scheduled a meeting for the next week. He noted there is one island that does not have irrigation so they are working on how to get irrigation to that island.

Mayor Holland commented on the condition of the outside of City Hall with Mr. Gierok indicating that he thought it was in the new budget to do the painting and the awnings. He added he would check on getting the awning for Customer Service re-installed.

Mr. Carrino reported that staff issued a Request for Qualifications for strategic planning services and received nine proposals. Staff has reviewed the nine and narrowed it down to two finalists. He explained those finalists will be presenting to the staff review committee and asked if the Commission would like to appoint a single Commission representative to sit on that committee.

Mayor Holland asked to have the Vice Mayor sit on that committee and it was confirmed by the Commission.

9.2 City Manager

Mr. Carrino reported that they have been working with County staff on the Coolidge area improvements. He indicated they are moving forward with utility work related to equalizing water and sewer flows in the area. He stated they would like to also work on the roads while they are already tore up so they have been working with County staff on that. He explained that County staff would present to the County Commission a proposal to enter into an interlocal agreement with Eustis and ask if they are willing to provide funding for the design and engineering for the roadwork, which is estimated at \$300,000.

Mayor Holland asked the City Clerk to advertise that more than one Commissioner may be attending that meeting.

Mr. Carrino then announced that the State of the City presentation would be at the Chamber breakfast in December. He then reported he had discussed with Fish and Wildlife the bear proof garbage cans. He explained they are recommending that the City identify specific areas

and then they will canvass those areas and offer installation. He asked to work with Commissioner Hawkins to identify those areas.

It was a consensus of the Commission to proceed with that.

Mr. Carrino then provided an update on the Waterman site project. He stated that the City has agreed to move forward with the master plan process. The developer had a consultant on board but then their team decided they wanted to interview multiple consultants rather than just look at a master plan consultant. He indicated that is where they are at that time and stated he would ask them to provide an update to the Commission.

9.3 City Attorney

Nayana Patel addressed the Commission regarding their code enforcement case. She acknowledged their fault in the situation and noted they never wanted to get lawyers involved but just wanted to get everything done and over with. She commented on the history of the case noting that it took six months for CSI to install the required smoke detectors. She indicated her brother who would be managing the motel would be willing to come before the Commission and answer questions. She added that he was never involved with the running of the motel in the past. She commented on all of the improvements. She asked if they could reconsider the reduction in fines, close the case and she would pay the \$52,000 and emphasized that the motel will never get in disrepair again.

Mayor Holland confirmed with the Commission their willingness to reconsider the case based on an email received from Ms. Patel and asked that it be placed on a future agenda for consideration.

Mr. Schroth asked Ms. Patel to detail the three options she had included in her email.

Ms. Patel responded she had proposed the following: 1) Reduction to \$52,000 payable immediately; 2) Payment of half of the penalty with balance in 30 to 45 days; or 3) If penalty is left at \$181,000 then she would need a year to pay it. She expressed her desire to have the penalty reduced to the \$52,000.

After discussion regarding dates, Mr. Carrino indicated it could be on the January 5, 2023, agenda.

9.4 Mayor

Mayor Holland expressed thanks to staff and Mr. Carrino for the excellent Light Up Eustis event. He expressed concern regarding some of the negative comments that were placed on social media. He cited a number of upcoming events including the snow and Santa in Ferran Park during the December weekends. He thanked the audience for attending the meeting.

10. ADJOURNMENT: 7:01 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