



# AGENDA

## City Commission Meeting

6:00 PM – Thursday, November 16, 2023 – City Hall

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**INVOCATION: MOMENT OF SILENCE**

**PLEDGE OF ALLEGIANCE: COMMISSIONER GARY ASHCRAFT**

**CALL TO ORDER**

**ACKNOWLEDGE OF QUORUM AND PROPER NOTICE**

**1. AGENDA UPDATE**

**2. APPROVAL OF MINUTES**

**2.1** Approval of Minutes

October 19, 2023 City Commission Workshop  
November 2, 2023 City Commission Meeting

**3. AUDIENCE TO BE HEARD**

**4. CONSENT AGENDA**

**4.1** Resolution Number 23-101: JAG D Grant Gas Masks

**4.2** Resolution Number 23-102: JAG C Grant Gas Masks

**5. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS**

**5.1** Resolution Number 23-103: Refuse Collection Rate Increase

**6. OTHER BUSINESS**

**6.1** Discussion to reconsider the change in the Pelfrey Storage Property, located at 115 W. Woodward Avenue from General Industrial (GI) to General Commercial (GC) or to discuss other alternatives

**7. FUTURE AGENDA ITEMS AND COMMENTS**

**7.1 City Commission**

**7.2 City Manager**

**7.3 City Attorney**

**7.4 Mayor**

**8. ADJOURNMENT**

This Agenda is provided to the Commission only as a guide, and in no way limits their consideration to the items contained hereon. The Commission has the sole right to determine those items they will discuss, consider, act upon, or fail to act upon. Changes or amendments to this Agenda may occur at any time prior to, or during the scheduled meeting. It is recommended that if you have an interest in the meeting, you make every attempt to attend the meeting. This Agenda is provided only as a courtesy, and such provision in no way infers or conveys that the Agenda appearing here is, or will be the Agenda considered at the meeting.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (Florida Statutes, 286.0105). In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact the City Clerk 48 hours prior to any meeting so arrangements can be made. Telephone (352) 483-5430 for assistance.

**“Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission and the public. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.”**



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION

FROM: Christine Halloran, City Clerk

DATE: November 16, 2023

RE: Approval of Minutes

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**Introduction:**

This item is for consideration of the minutes of the October 19, 2023 City Commission Workshop and November 2, 2023 Regular City Commission Meeting.

**Recommended Action:**

Approval of the minutes as submitted.

**Prepared By:**

Mary Montez, Deputy City Clerk

**Reviewed By:**

Christine Halloran, City Clerk



# MINUTES

## City Commission Workshop: Density and Lot Size

4:30 PM – Thursday, October 19, 2023 – City Hall

**CALL TO ORDER: 4:30 P.M.**

### **ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE**

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

### **1. WORKSHOP ITEM WITH DISCUSSION, PUBLIC INPUT AND DIRECTION**

#### 1.1 Density and Lot Size

Mike Lane, Director of Development Services, introduced the lot size and density discussion. He reviewed the densities in the City's various residential, mixed-use and other categories. He cited the densities in other local communities, including Apopka, Clermont, Groveland, Leesburg, Mount Dora and Tavares. He indicated that most of the higher densities are in urban areas. He noted that Clermont and Eustis have the highest densities.

Mr. Lane then discussed net versus gross densities. He explained that Apopka, Clermont and Eustis have net density type arrangements. He stated that gross density does not consider the anomalies and indicated that Leesburg's code does not specify net so their definition of density is based on gross.

Mr. Lane then discussed lot widths and commented that lot types are assigned to different design districts. He explained that other communities do not have lot types. He stated that the minimum lot width for homesteads is 200 feet but the depths are not included. He indicated that Leesburg's code includes depths and stated most communities discuss widths not depths.

Mr. Carrino explained that the 40 foot wide lot width is allowed in the Urban Residential category. He noted that most of the recent projects have been in the Suburban Residential category and have 55 foot width lots.

Mr. Lane commented on the various lot types and widths in the City of Eustis and in surrounding communities. He then reviewed the Estes Reserve Subdivision and how the densities and layout would vary with different lot widths. He also reviewed the Mayhill Subdivision and how the different lot widths would affect the density and layout. He noted the ISR issues with lot widths. He explained that there are options for growth and variation with consideration of retaining trees and buffers. He noted developer issues with creativity and drainage for grading.

The Commission discussed their preference for 55 ft and 70 ft lot widths. They discussed parking issues. It was suggested the City incorporate architectural design standards for homes with percentage options. They discussed reducing the Suburban Residential district from five du/acre to four du/acre and not less than 55 ft width preferred for single-family in suburban residential lot types.

Discussion was held regarding impervious surface area and requirements in the Comprehensive Plan and Land Development Regulations.

Mr. Lane suggested utilizing a planning consultant to work on the Comprehensive Plan changes given the decreased Development Services staff. The Commission expressed support for the idea and suggested working with the City Manager to find the necessary funds.

Commissioner Hawkins agreed with the varied lots and setbacks.

Commissioner Ashcraft agreed that encouraging developers to think "out of the box" might yield higher quality neighborhoods.

Commissioner Cobb expressed concern about the new subdivisions not providing enough parking spaces and noted that, on many occasions, she has seen streets that are impassible due to cars being parked on both sides of the street.

Vice Mayor Lee asked to see more examples of subdivisions with variable lot sizes.

Mr. Carrino noted that developers and their consultants are notoriously not creative.

Mr. Lane stated that he would work with a consultant to encourage developers to meander around the large trees and encourage them to consider using bioswales instead of large stormwater ponds.

## 2. ADJOURNMENT: 5:13 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



# MINUTES

## City Commission Meeting

6:00 PM – Thursday, November 02, 2023 – City Hall

**INVOCATION: ELDER ELIJAH PERRY, CHURCH OF GOD BY FAITH**

**PLEDGE OF ALLEGIANCE: VICE MAYOR EMILY LEE**

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

### ACKNOWLEDGE OF QUORUM AND PROPER NOTICE

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

### 1. AGENDA UPDATE

Tom Carrino, City Manager, asked to allow Chief Capri to present a Citizen's Life Safety Award to Stacey Hatcher first under presentations. He introduced the newest member of the Eustis team - Marissa Cella, Communications Specialist.

### 2. APPROVAL OF MINUTES

2.1 Approval of Minutes:  
October 12, 2023 - Special Commission Meeting  
October 19, 2023 - Regular Commission Meeting

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

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

### 3. PRESENTATIONS

#### Presentation of Citizen's Life Safety Award – Stacey Hatcher

Chief Craig Capri presented the Citizen's Life Safety Award to Ms. Stacey Hatcher for her efforts in assisting the victim of a hit and run accident when she was returning her school bus at the end of her run. He reported on the victim's recovery from the accident.

#### 3.1 Organizational and Event Support Grant to LifeStream Open Door

Mr. Carrino commented on the City's revised organizational grant process. He welcomed representatives from the LifeStream Behavioral Center's Open Door program.

Debbie Flaherty, Director of Open Door, provided a report on the number of people assisted through Open Door in the past year. She provided an overview of the various services the center provides to their clients and the makeup of their client population. She expressed thanks to the Commission for its assistance.

Mayor Holland expressed thanks to Ms. Flaherty, the local churches and others that assist the local homeless population.

Commissioner Hawkins commented on the local need and asked to have \$500 of his discretionary funds donated to Open Door.

### 3.2 Eustis Junior Panthers and Corey Rolle Field

Mayor Holland introduced Coach Johnnie Saunders, Coach Monica and Kyla Lucas, program coordinator for the Eustis Junior Panthers.

Coach Saunders stated he has been director of the program since 1998. He congratulated the cheerleaders for being the 2023 cheerleading champions.

Ms. Lucas expressed thanks to the Commission and community for their support. She reviewed a letter sent to the City Commission with specific requests for the City: 1) Financial assistance in the amount of \$10,000; and 2) Field Management. She asked Coach Saunders to explain the financial request. He explained the need for the \$10,000 and how it would be utilized in particular to jumpstart the cheerleading program.

Ms. Lucas then cited the request for assistance with the field management at Corey Rolle Field with lining the field during home games and helping to organize the postseason play.

Ms. Lucas reviewed the third request for use of the Eustis Community Center twice annually for the Homecoming Banquet and End-of-year Awards Banquet. She stated the fourth request is for field enhancements to include the installation of overhead coverings on both the home and visiting sides of the field. Coach Saunders explained on the need for the shade to protect the spectators due to the heat.

Ms. Lucas cited the fifth request for transforming the existing racquetball structure into a concession and storage facility. The sixth request was for sideline fencing with Coach Saunders explaining that they need the fencing on both sides of the field to buffer the officials, coaches and players from the parents and other spectators.

Ms. Lucas explained the last request is for some additional security measures to control the flow of substances being allowed from vehicles onto the field during events. Coach Saunders explained the need to prevent illegal substances from being brought around the young people.

Mayor Holland asked the City Manager to work on scheduling a workshop to discuss the program and what can be done to assist them.

The Commission discussed asking Coach Saunders and Craig Dolan, Director of Parks and Recreation, to meet and work out a plan for the program.

Coach Saunders expressed appreciation and stated the City has good approachable people to work with. He commented on the needs to enhance the field and cited how the field benefits the community.

The Commission commented on how the City has unfinished business in that area such as the covering for Carver Park. Coach Saunders was directed to contact the City Manager to get the meetings scheduled.

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

Gessner Harris commented on W.I.N. 1 Ministries using a City facility. She expressed concerned with the second largest City building being unavailable. She noted the Woman's Club building only can handle 100 attendees. She cited a number of organizations and events that utilize the Senior Center. She cited the possibility of allowing the church to use the Woman's Club instead of the Senior Center and questioned whether or not other vacant buildings were considered.

Gail Isaac-Thomas requested that the minutes from the previous meeting be corrected to indicate that the permanent signage she was requesting is for Corey Rolle Memorial Field.

Sarah Pelfry apologized for not being at the previous meeting due to illness. She indicated that some of the information provided by George Asbate was false and misleading. She reviewed her family's history in the City. She expressed concern regarding Mr. Asbate's motives noting that he offered his own space to her tenant after she first approached the City. She explained they have had to turn away other prospective tenants due to the GI land use. She asked if the Commission would consider reconsidering their request and changing the land use to MCI (which was her original request) which would be open to light industry and freight.

Mr. Carrino explained the process for reconsideration would involve placing the issue on the agenda for discussion as to whether or not the Commission is open to reconsideration. He stated someone that voted against it would have to bring it up and it would take a majority of the Commission to allow it to be placed back on the agenda for reconsideration. Otherwise, the item may be brought back after nine months.

Ms. Pelfrey indicated that she and Mr. Trask and Mr. Allman are open to meeting with the City to discuss the situation.

## 5. CONSENT AGENDA

### 5.1 Resolution Number 23-94: Approval of Purchase for Police Vehicles in excessive of \$50,000

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

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

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

### 6.1 Resolution Number 23-95: Consideration of Site Plan with Waivers for Tommy's Express Carwash, Located at 15923 and 15939 US Highway 441 (Alternate Key Numbers 2534826 and 3801121)

Sasha Garcia, City Attorney, announced Resolution Number 23-95: A Resolution of the City Commission of the City of Eustis, Florida; approving a site plan with waivers (to Section 115-9.3.2(a)(2) landscape buffer requirements along streets and to Section 115-9.3.2(a)(3) suburban adjacencies for nonresidential parcels) for a commercial carwash on approximately 1.29 acres located on the northwest corner of U.S. Highway 441 and Kurt Street (Alternate Key Numbers 2534826 and 3801121) - 15923 and 15939 U.S. Highway 441.

Jeff Richardson, Development Services Deputy Director, reviewed the site plan for Tommy's Express Carwash and explained the requested waivers for 15923 and 15939 US Highway 441. He stated the waivers are to the landscape buffers and to the adjacency to the adjoining commercial parcel. He reviewed the details of the location and proposed ingress/egress. He stated a perimeter buffer is being provided on two of the sides and a partial on the third side due to the roadway between the two commercial parcels. He explained the one waiver is to reduce the required 15-foot buffer to a five to ten-foot buffer to allow for traffic circulation. He noted there is an existing stem wall that drops to a curb which results in the property being above the roadway. He explained the second waiver request is to install a pvc fence for security and screening instead of a buffer.



Mr. Richardson provided a view of the traffic circulation and elevations from Hwy. 441, the back, Kurt Street and from the internal exit. He provided a rendering with the landscaping. He confirmed the required legal notices and signage was done and stated staff's recommendation for approval. He indicated it is substantially consistent with the Land Development Regulations.

The Commission asked about the traffic flow with Mr. Richardson indicating that their engineer did not provide the plan he presented but that he did that as an example. He explained how the traffic is expected to circulate.

The Commission confirmed that both buildings are being torn down.

Attorney Garcia opened the public hearing at 6:46 p.m.

Debra Best, representing the storage facility, expressed support for the fence and indicated it will assist them with the moving of their larger trucks.

There being no further public comment, the hearing was closed at 6:47 p.m.

Motion made by Commissioner Hawkins, Seconded by Commissioner Ashcraft, to approve Resolution Number 23-95. The motion passed on the following vote:

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

6.2 Resolution Number 23-100: Commercial Lease Agreement with W.I.N.1 Ministries, Inc. for 301 W. Ward Ave

Attorney Garcia announced Resolution Number 23-100: A Resolution of the City Commission of the City of Eustis, Florida; authorizing the City Manager to execute a commercial lease agreement with W.I.N. 1 Ministries, Inc. for City-owned property at 301 West Ward Avenue.

Mr. Carrino reviewed the proposed lease and stated that the City obtained \$18,000 in rental revenue and \$33,000 from programs in the previous year from the facility. He noted that the City employee gym and an office is also in the building. He commented on the previous request by W.I.N. 1 Ministries to first purchase the building and then to lease the building. He indicated that the Commission at the October 19th meeting directed staff to work on a lease with the Ministry.

Mr. Carrino reviewed the main provisions of the lease as follows: 1) \$4,000 per month which is under market value but more than what the City typically obtains from rental revenue; 2) City employee gym would remain; 3) Proposed to be a two-year lease to begin January 1, 2024 and running through December 31, 2025. He stated that W.I.N. 1 Ministry would maintain the grounds. He indicated that there is a provision that says they may not assign or sublet the building without written permission from the City; however, they may rent rooms for events. He stated that mirrors the verbiage in the City's lease with the Chamber. He added that the parking would remain public although available to the ministry for use. The City would continue to maintain the parking lot.

Mr. Carrino provided a brief history about W.I.N. 1 Ministry and provided an overview of their programs and their involvement with the Police Department's chaplain program.

The Commission asked what rental rates they would charge compared to the City's rates with Mr. Carrino indicated they have not discussed that.

The Commission confirmed that the building would still be available for early voting. They also confirmed that the Ministry would be responsible for their own utilities.

The Commission then asked where the lease revenue should be allocated with Mr. Carrino recommending that the funds go to the Economic Development Fund (68 Fund). He explained that the funds from the other leases go there and are used for Gateway Grants.

Commissioner Hawkins commented on the facilities previously being managed by Parks and utilizing the funds for recreation programs. Mr. Carrino indicated that could be done through the 68 Fund.

Mr. Carrino indicated it is up to the Commission where the revenue is budgeted. He explained that either way there will need to be a budget amendment to recognize the revenue and allocate the expenditures.

The Commission asked to see the expenditures for the facility and further discussed how the funds should be utilized.

Further discussion was held regarding whether or not the Ministry would be willing to rent out the facility.

Attorney Garcia confirmed that use of the facility for early voting is not in the lease agreement with Mayor Holland indicating he would be fine with a verbal commitment.

The public hearing was opened at 6:59 p.m.

Pastor Renee Hill expressed thanks to the City Commission. She cited all of their activities within the community including their food distribution program. She assured the Commission that they are willing to rent the facility for private events as long as the church is not using the facility. She indicated that their rates will be comparable to the City's.

Pastor Benny Hill commented on their intent to help the community and emphasized their desires to be "meaningful, engaged and relevant" as they work to serve the community's needs.

Discussion was held regarding the rental provision within the lease with Mr. Carrino explaining they can't sub-lease the facility to someone like a restaurant but they can rent out rooms for events.

Motion made by Commissioner Ashcraft, Seconded by Commissioner Cobb, to approve Resolution Number 23-100. The motion passed on the following vote:

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

**6.3 FIRST READING**

Ordinance Numbers 23-27, 23-28, and 23-29: Explanation of Ordinances for annexation of parcels with Alternate Key Numbers 1212685, 3948085, 3948086, 3948087, 3948088, and 3948089

- Ordinance Number 23-27: Voluntary Annexation
- Ordinance Number 23-28: Comprehensive Plan Amendment
- Ordinance Number 23-29: Design District Assignment

Attorney Garcia announced that, due to the action taken at the Local Planning Agency the next three items would not be heard - Ordinances 23-27, 23-28 and 23-29.

## 7. FUTURE AGENDA ITEMS AND COMMENTS

### 7.1 City Commission

Commissioner Hawkins thanked everyone that participated in the Panther Pride in the Park event and announced they raised \$29,000 and netted between \$21,000 and \$22,000. He commented on the amount of help the City has given for various things and cited the negativity directed at the City through social media particularly by people that have asked for assistance.

Commissioner Hawkins then announced there would be a 100th birthday party for Mrs. Broomfield. He indicated he had been approached to purchase a table at the event for \$350.

**CONSENSUS:** It was a consensus of the Commission for the City to purchase a table for the event.

Commissioner Hawkins noted his request to have \$500 of his discretionary funds donated to Open Door. He then asked to have the remainder of his funds go for the Senior Citizen breakfasts.

Commissioner Ashcraft congratulated Commissioner Hawkins on the Panther Pride event. He thanked the Commission for allowing him to go to the Florida Redevelopment Conference. He expressed support for continuing to do the housing rehabilitation program every year.

Commissioner Cobb reported she was approached by a resident about putting a small playground for smaller children in the small park off Clay Boulevard. She recommended removing the broken fencing. She asked about the progress on resolving the issue with the parcel IDs for the property on SR 44 with Mr. Carrino indicating he would check with Public Works.

Commissioner Cobb then asked about putting the Lakeview Avenue traffic study on the next meeting agenda. She then asked for her discretionary funds to be donated to the Eustis Junior Panther project. She expressed thanks to the City for their help, support and outpouring of love during her mom's Celebration of Life.

Vice Mayor Lee commented on the warm feelings from her mother's Celebration of Life. She reported on the America in Bloom roundtable discussion she attended. She explained they are in the process of forming a committee and indicated that the public will be encouraged to participate. She commented on how well it will beautify the City. She then cited the Sheriff's Gala.

Commissioner Cobb commented on the Greenwood SC America in Bloom topiary program and emphasized that it has helped bring economic development to the town.

Vice Mayor Lee recommended having a future presentation regarding the program.

### 7.2 City Manager

Mr. Carrino stated they are moving forward with strategic planning and the master plan process. He announced that the strategic planning consultant would be holding a staff level meeting on Monday, November 6th. He then stated that the master plan consultant would be back in town in two weeks. He stated the consultant would like to hold a workshop with the Commission prior to the November 16th Commission meeting. He asked if they could be available at 4:30 p.m. on the 16th for that workshop. He then asked to schedule a shade meeting regarding collective bargaining at 5:30 p.m. on December 14th. He noted there is only one meeting in December and it would be the second Thursday, December 14th. He asked if

they wanted to schedule a workshop on the Eustis Panthers program on a nonCommission meeting night.

The Commission recommended that Coach Saunders and Craig Dolan meet prior to a meeting with the Commission.

Mr. Carrino indicated staff would get that scheduled and then approach the Commission about scheduling a workshop. He then announced that he would be out of town some time in November and December and asked to appoint Bill Howe as Acting City Manager during those absences.

**CONSENSUS:** It was a consensus of the Commission for Bill Howe to serve as Acting City Manager during the City Manager's upcoming absences.

### **7.3 City Attorney - None**

### **7.4 Mayor**

Mayor Holland acknowledged the presence of Theo Bob. He congratulated Commissioner Hawkins on the Panther Pride in the Park. He commented on the Sheriff's Gala and noted the funds will go to the Sheriff's Department's Children's Charities. He congratulated the Eustis Junior Panthers on their great season and stated the cheerleaders represented the City well. He also congratulated the EHS Panthers on beating Mount Dora and winning the district championship. He commented on how the Eustis Junior Panther program benefits the high school program.

Mayor Holland asked the Commission for funds to support the local students who travel to Tallahassee as part of the state legislative session essay contest. He explained all of the activities that the students get to participate in. He asked the Commission to provide \$1,000 to help them go to Tallahassee.

**CONSENSUS:** It was a consensus of the Commission to donate \$1,000 to the students to go to Tallahassee.

Mayor Holland noted that Light Up Eustis is only three weeks away. He explained that the City gets a lower rate on the rental of the decorations by allowing them to put them up as they are able.

Mayor Holland commented on how hard the Commissioners work to represent the community. He asked the public to not attack the Commission on social media. He emphasized that the Commission tries to help any organization that approaches them to the best of their ability. He asked that, if they have a problem, to contact the Commissioners individually and express their concerns.

## **8. ADJOURNMENT: 7:26 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



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manger

DATE: November 16, 2023

SUBJECT: RESOLUTION NUMBER 23-101: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANTS (FY2022-JAGD-R7025)

### **Introduction:**

Resolution Number 23-101 authorizes the Mayor and the Chief of Police to accept and utilize funds in the amount of \$4,050.00 from the Federal Fiscal Year 2022 Edward Byrne Memorial Justice Assistance Grant, FY2022-JAGD-R7025. The grant will be utilized for the purchase of 15 gas masks and 30 filters. The acquisition of 15 gas masks and 30 air filters will greatly increase both officer and public safety. Since their inception, gas masks were designed to keep airborne toxins out of the wearer's respiratory system. This kind of protection is an important part of duty gear for police who are often asked to enter hazardous environments that contain toxic gas or high concentrations of smoke. Not only do gas masks protect the respiratory system, but they also allow for wearers to maintain visibility when dealing with these kinds of environments.

The addition of the 15 gas masks and 30 air filters will not only be an additional step to increase the Eustis Police Departments abilities and preparedness when responding to critical situations, it will increase the Department's ability to better protect its officers and serve the citizens of the City of Eustis.

### **Recommended Action:**

The administration recommends approval of Resolution Number 23-101.

### **Background:**

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives. JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation, data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs.
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs (other than compensation)

The Eustis Police Department has determined the following:  
The best use of the current FY2022-JAGD-R7025 award of \$4,050.00 would be the purchase of 15 gas masks and 30 air filters.

The FY2022-JAGD-R7025 grant award will allow the Eustis Police Department to acquire 15 gas masks and 30 air filters. The acquisition of the gas masks and filters will significantly increase the ability of the Eustis Police Department to protect the citizens of the City of Eustis, while at the same time increasing officer safety, and its ability to assist other law enforcement agencies within the area.

**Community Input:**

There has been no specific community input associated with this resolution.

**Budget/ Staff Impact:**

The approximate \$4,794.73 purchase of 15 gas masks and 30 air filters has a budget impact of approximately \$744.73 beyond the grant award of \$4050.00. Monies from the police department's general fund will be utilized to cover the approximate \$744.73 difference.

**Reviewed By:**

Craig A. Capri, Chief of Police

**Prepared By:**

Kenneth Toler, Police Support Commander

**RESOLUTION NUMBER 23-101**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AUTHORIZING THE MAYOR AND CHIEF OF POLICE TO ACCEPT AVAILABLE FEDERAL FISCAL YEAR 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM RESIDUAL FUNDS; AND AUTHORIZING THE CITY'S FINANCE DIRECTOR TO MAKE THE NECESSARY BUDGET ADJUSTMENTS TO REFLECT THE AWARD AND EXPENDITURE OF THESE FUNDS.**

**WHEREAS**, the Florida Department of Law Enforcement (FDLE) has notified the City of Eustis Police Department of the award of \$4,050.00 from Federal Fiscal Year (FFY) 2022, Edward Byrne Memorial Justice Assistance Grant Program Funding (FY2022-JAGD-R7025) for use by the City of Eustis Police Department; and

**WHEREAS**, the City of Eustis Police Department has submitted a Grant Application and is required to execute a Certificate of Acceptance of Subgrant Award; and

**WHEREAS**, the City of Eustis Police Department has determined the need to purchase 15 gas masks and 30 gas mask filters; and

**WHEREAS**, the aforementioned Edward Byrne Memorial Justice Assistance Grant Program (FY2022-JAGD-R7025) funds can be used to pay for the cost of purchasing 15 gas masks and 30 gas mask filters; and

**WHEREAS**, Generally Accepted Accounting Principles necessitate the funds be budgeted and expended out of the FY2024 accounting period.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Eustis, Florida, as follows:

1. That the Mayor and Chief of Police are hereby authorized to accept available Edward Byrne Memorial Justice Assistance Grant Program (FY2022-JAGD-R7025) funds.
2. That upon receipt of the funds, the City's Finance Director is hereby authorized to make the necessary budget adjustments to reflect the award and expenditure of the aforementioned Edward Byrne Memorial Justice Assistance Grant Program (FY2022-JAGD-R7025) funds.

**DONE AND RESOLVED**, this 16<sup>th</sup> day of November, 2023, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Mary C. Montez  
Deputy City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of November, 2023 by Michael L. Holland, Mayor, and Mary C. Montez, Deputy City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public- State of Florida  
My Commission Expires:  
Notary Serial No:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney

**CERTIFICATE OF POSTING**

The foregoing Resolution Number 23-101 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Mary C. Montez, Deputy City Clerk





# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manger

DATE: November 16, 2023

SUBJECT: RESOLUTION NUMBER 23-102: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANTS (FY2022-JAGC-R7078)

### **Introduction:**

Resolution Number 23-102 authorizes the Mayor and the Chief of Police to accept and utilize funds in the amount of \$7,390.00 from the Federal Fiscal Year 2022 Edward Byrne Memorial Justice Assistance Grant, FY2022-JAGC-R7078. The grant will be utilized for the purchase of 24 gas masks and 48 air filters. The acquisition of 24 gas masks and 48 air filters will greatly increase both officer and public safety. Since their inception, gas masks were designed to keep airborne toxins out of the wearer's respiratory system. This kind of protection is an important part of duty gear for police who are often asked to enter hazardous environments that contain toxic gas or high concentrations of smoke. Not only do gas masks protect the respiratory system, but they also allow for wearers to maintain visibility when dealing with these kinds of environments.

The addition of the 24 gas masks and 48 air filters will not only be an additional step to increase the Eustis Police Departments abilities and preparedness when responding to critical situations, it will increase the Department's ability to better protect its officers and serve the citizens of the City of Eustis.

### **Recommended Action:**

The administration recommends approval of Resolution Number 23-102.

### **Background:**

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives. JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation, data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

- Law enforcement programs
- Prosecution and court programs
- Prevention and education programs.
- Corrections and community corrections programs
- Drug treatment and enforcement programs
- Planning, evaluation, and technology improvement programs
- Crime victim and witness programs (other than compensation)

The Eustis Police Department has determined the following:  
The best use of the current FY2022-JAGC-R7078 award of \$7,390.00 would be the purchase of 24 gas masks and 48 air filters.

The FY2022-JAGC-R7078 grant award will allow the Eustis Police Department to acquire 24 gas masks and 48 air filters. The acquisition of the gas masks and filters will significantly increase the ability of the Eustis Police Department to protect the citizens of the City of Eustis, while at the same time increasing officer safety, and its ability to assist other law enforcement agencies within the area.

**Community Input:**

There has been no specific community input associated with this resolution.

**Budget/ Staff Impact:**

Monies from the police department's general fund will be utilized to cover the cost difference over the \$7,390.00 grant award.

**Reviewed By:**

Craig A. Capri, Chief of Police

**Prepared By:**

Kenneth Toler, Police Support Commander

**RESOLUTION NUMBER 23-102**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AUTHORIZING THE MAYOR AND CHIEF OF POLICE TO ACCEPT AVAILABLE FEDERAL FISCAL YEAR 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM RESIDUAL FUNDS; AND AUTHORIZING THE CITY'S FINANCE DIRECTOR TO MAKE THE NECESSARY BUDGET ADJUSTMENTS TO REFLECT THE AWARD AND EXPENDITURE OF THESE FUNDS.**

**WHEREAS**, the Florida Department of Law Enforcement (FDLE) has notified the City of Eustis Police Department of the award of \$7,390.00 from Federal Fiscal Year (FFY) 2022, Edward Byrne Memorial Justice Assistance Grant Program Funding (FY2022-JAGC-R7078) for use by the City of Eustis Police Department; and

**WHEREAS**, the City of Eustis Police Department has submitted a Grant Application and is required to execute a Certificate of Acceptance of Subgrant Award; and

**WHEREAS**, the City of Eustis Police Department has determined the need to purchase 24 gas masks and 48 gas mask filters; and

**WHEREAS**, the aforementioned Edward Byrne Memorial Justice Assistance Grant Program (FY2022-JAGC-R7078) funds can be used to pay for the cost of purchasing 15 gas masks and 30 gas mask filters; and

**WHEREAS**, Generally Accepted Accounting Principles necessitate the funds be budgeted and expended out of the FY2024 accounting period.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Eustis, Florida, as follows:

1. That the Mayor and Chief of Police are hereby authorized to accept available Edward Byrne Memorial Justice Assistance Grant Program (FY2022-JAGC-R7078) funds.
2. That upon receipt of the funds, the City's Finance Director is hereby authorized to make the necessary budget adjustments to reflect the award and expenditure of the aforementioned Edward Byrne Memorial Justice Assistance Grant Program (FY2022-JAGC-R7078) funds.

**DONE AND RESOLVED**, this 16<sup>th</sup> day of November, 2023, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Mary C. Montez  
Deputy City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of November, 2023 by Michael L. Holland, Mayor, and Mary C. Montez, Deputy City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public- State of Florida  
My Commission Expires:  
Notary Serial No:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
City Attorney

**CERTIFICATE OF POSTING**

The foregoing Resolution Number 23-102 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Parks & Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Mary C. Montez, Deputy City Clerk



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: EUSTIS CITY COMMISSION  
 FROM: TOM CARRINO, CITY MANAGER  
 DATE: NOVEMBER 16, 2023  
 RE: RESOLUTION NUMBER 23-103: REFUSE COLLECTION RATE INCREASE

## Introduction

Resolution Number 23-103 increases Waste Management total refuse rates for residential customers by \$0.90 cents or 4.97%, overall, effective January 1, 2024. Commercial rates vary depending on the service but the increase is similar to the residential rate increase. While the Garbage and Trash Collection Index (G&TC) was up 6.94%, the actual percentage increase was less due to the Disposal fee holding at \$4.42, since 2014 when the rate was \$4.50. This is higher than the overall CPI in September 2023, which registered 3.70%. The G&TC measures items attributable to the prices paid by consumers for a market basket of goods and services. Factors which impact the G&TC include: tariffs, steel, tires, and fuel costs.

The contract with Waste Management will expire December 2024. We anticipate going out to bid during the first quarter of calendar year 2024. This will allow the companies to adapt to either the addition or deletion of Eustis Service.

## Recommended Action

Staff recommends approval of Resolution Number 23-103.

## Background

The City of Eustis contracts refuse and recycling services to Waste Management, Inc. of Florida (WMI) via an exclusive franchise agreement. The franchise agreement with WMI, states that the provider may request an annual adjustment in the collection and other non-disposal portions of the services of the curbside residential recycling collection rate, the residential solid waste collection services rates, and the commercial solid waste collection rates.

In the past, the refuse collection rate was based on the Refuse Rate Index (RRI), which factors in labor, fuel, and truck costs and repairs. Due to the volatility of the RRI, the City and Waste Management opted for the Garbage and Trash Collection CPI, which reflected a lower increase and provides less volatility as the methodology is not based on the RRI components but rather a statistic refuse collection.

<u>Breakdown of Increase in Fees</u>	<u>Jan. 1, 2023</u>	<u>% Increase</u>	<u>Jan. 1, 2024</u>
The Solid Waste Collection	\$ 7.92	6.94%	\$ 8.47
Recycling Collections	<u>4.20</u>	6.90%	<u>4.49</u>
Total Hauling Fee	\$12.12	6.93%	\$12.96
Disposal Fee	4.42	0.00%	4.42
Franchise Fee (7% Hauling & Disposal)	1.16	5.17%	1.22
Billing Charge	<u>0.42</u>	0.00%	<u>0.42</u>
Total Charges	<u><u>\$18.12</u></u>	4.97%	<u><u>\$19.02</u></u>

Below is a list of Garbage Rates within the County with the proposed Eustis rate in yellow:

<u>Comparison</u>	
<u>Residential Garbage Rates</u>	
Lady Lake	\$ 15.41
Leesburg	\$ 17.53
Current	\$ 18.12
<b>Eustis Proposed</b>	<b>\$ 19.02</b>
Fruitland Park	\$ 19.65
Groveland	\$ 19.88
Astatula	\$ 20.87
Mount Dora	\$ 22.11
Clermont	\$ 23.08
Umatilla	\$ 23.16
Minneola	\$ 23.41
Montverde	\$ 26.79
Mascotte	\$ 26.81
Tavares	\$ 27.08
Lake County	\$ 28.75
Howey in the Hills	\$ 28.87

Residential Garbage Fees  
Lowest to highest

While the hauling overall index increased 6.93% the combined total rate increased 4.97%, due to the disposal fee and billing charge remaining the same. The Franchise fee only increased 5.17% based on the combined cost of the Hauling Fee plus the Disposal Fee (\$12.96 + \$4.42 = \$17.38 x .07 = \$1.22).

The proposed collection rate for 2024 is **\$19.02** based on the Garbage and Trash Collection CPI, an increase of \$0.90 cents per month over the current rate. The Hauling Rate considered was **6.93%** for September 2023.

**Alternatives**

1. Approve Resolution Number 23-103 increasing the total refuse rates by \$0.90 cents per month for a single-family home.
2. Reject Resolution Number 23-103 and provide further direction to staff.

**Discussion of Alternatives**

1. Alternative 1 approves Resolution Number 23-103.
  - a. Advantages
    - i. The City is in compliance with the franchise agreement.
    - ii. The rate increase is determined by an independent source.
    - iii. The Eustis rate is the eleventh lowest in the County.
    - iv. The City will realize approximately \$14,000 franchise fee revenue based on the rate increase and growth within the City.
  - b. Disadvantages
    - i. Customers will bear the \$0.90 cents per month increase in cost. This is higher than the overall CPI increase for September 2023 3.70%, compared to the Garbage and Trash Collection rate of 6.94%.
2. Alternative 2 rejects Resolution Number 23-103.
  - a. Advantages
    - i. Customers will not bear the small increase in rates.
  - b. Disadvantages
    - i. City would be in violation of the contract with Waste Management.
    - ii. Non-compliance with the contract could jeopardize refuse and recycling services.

**Community Input**

Opportunity for community input will be provided during the regularly scheduled public commission meeting to be held on November 16, 2023. The meeting will be advertised according to law.

**Prepared By**

Mike Sheppard, Finance Director

**Attachments**

- Resolution Number 23-103
- Exhibits 1 through 7 Residential and Commercial Rates

**RESOLUTION NUMBER 23-103**

**A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AUTHORIZING ADJUSTMENT TO CITY OF EUSTIS RATES FOR THE SOLID WASTE COLLECTION SERVICES, TO PROVIDE FOR THE ANNUAL ADJUSTMENT OF THE GARBAGE AND TRASH RATE INDEX PROVIDED BY THE U.S. BUREAU OF LABOR FOR WASTE MANAGEMENT, INC. OF FLORIDA TO BE EFFECTIVE JANUARY 1, 2024.**

**WHEREAS**, the City of Eustis, Florida entered into an exclusive franchise agreement with Waste Management, Inc. of Florida, which began on January 1, 2002; and

**WHEREAS**, in accordance with the provision of that agreement, Waste Management Inc. of Florida, is permitted to request an annual increase or decrease based on the Garbage and Trash Rate Index provided by the U.S. Bureau of Labor Statistics; and

**WHEREAS**, the established Garbage and Trash Rate Index for Waste Management, Inc. of Florida, reflects an increase of 6.93% or \$0.84 cents per month for hauling costs; and

**WHEREAS**, the total proposed increase for solid waste collection services is 4.97% or a total of \$0.90 per month; and

**WHEREAS**, the City Commission of the City of Eustis, Florida, has held a public hearing this date on the said rate for solid waste collection services provided by Waste Management, Inc. of Florida;

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Eustis, Florida, hereby adjusts the rates for waste collection services provided by Waste Management, Inc. of Florida, which is hereby increased by 4.97%, which equates to total bill of \$19.02 per month for a single-family home. Said rates will be effective January 1, 2024.

**DONE AND RESOLVED** this 16<sup>th</sup> day of November, 2023, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

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Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

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Mary C. Montez, Deputy City Clerk



**CITY OF EUSTIS CERTIFICATION****STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me, by physical presence, this 16<sup>th</sup> day of November, 2023, by Michael L. Holland, Mayor, and Mary C. Montez, Deputy City Clerk, who are personally known to me.

\_\_\_\_\_  
 Notary Public - State of Florida  
 My Commission Expires:  
 Notary Serial No:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content for the use and reliance of the City Commission of the City of Eustis, Florida.

\_\_\_\_\_  
 City Attorney's Office

\_\_\_\_\_  
 Date

**CERTIFICATE OF POSTING**

The foregoing Resolution Number 23-103 is hereby approved, and I certify that I published the same by posting one copy hereof at City Hall, one copy hereof at the Eustis Memorial Library, and one copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
 Mary C. Montez, Deputy City Clerk



# City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: November 16, 2023

RE: Discussion to reconsider the change in the Pelfrey Storage Property, located at 115 W. Woodward Avenue from General Industrial (GI) to General Commercial (GC) or to discuss other alternatives

## **Background:**

On October 19, 2023, the City Commission denied the Pelfrey Storage, LLC request to change the future land use district of the property, located at 115 West Woodward Avenue, from General Industrial (GI) to General Commercial (GC) so that the property owner would be allowed to have tenants such as adult day cares and group homes. This denial determination was made during the application's first reading for the request.

After appearing before the City Commission at their November 2<sup>nd</sup> meeting, Ms. Sarah Pelfrey, property owner representative, pleaded with the Commission to reconsider this request or consider an alternate land use district.

Staff were directed to insert a placeholder on the November 16<sup>th</sup> Agenda to give the City Commission an option to discuss adding this request or it's alternatives for reconsideration at a future Commission meeting.

Several alternatives to the change in land use districts could be considered for this property. One challenge in this case is that the proposed uses do not neatly fit into the table of uses, so some level of interpretation is required. One alternative is to keep the existing GI land use. The City Commission has the discretion to grant a conditional use approval to allow the "schools". However, if the use is closer to a "day care" or "group home", those uses would not be permitted in GI without a code amendment.

Another alternative could be to change the property from General Industrial (GI) to Mixed Commercial Industrial (MCI). The MCI District would still allow the self-service storage, but also allow or permit by right daycare centers, nursery schools, middle and high schools, nursing homes, retail sales and services, as well as sports complexes and vocational schools. The MCI District also allows the following uses to be considered for conditional uses by the City Commission: elementary schools, general vehicle servicing, car sales and leasing, warehousing and freight movement, outdoor shooting ranges, research labs (without manufacturing) and wholesale trade.

The City Commission can also decide to reconsider the original request to change to GC. GC would allow daycare, schools, and self-storage by right. It would also allow group homes by conditional use.

Consistent with the City Commission Rules of Order, if an item is denied by the City Commission the applicant can wait nine months for reconsideration, the Commission may determine if an item for consideration is substantially different than the prior item being considered, or three Commissioners may agree to reconsider the item on a future agenda.