



MINUTES

Regular City Commission Meeting

6:00 PM - Thursday, August 4, 2022 - City Hall

INVOCATION: PASTOR KING

PLEDGE OF ALLEGIANCE: COMMISSIONER COBB

CALL TO ORDER: 6:20 P.M.

ACKNOWLEDGEMENT OF QUORUM AND PROPER NOTICE

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

1. AGENDA UPDATE: NONE

2. APPROVAL OF MINUTES

2.1 July 21, 2022 - Regular City Commission Meeting

Moved by Vice Mayor Lee, seconded by Commissioner Hawkins, to approve the Minutes as submitted. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

3. PRESENTATIONS

3.1 Lake Community Action Agency

Timothy Bridges, Director of Program Operations for Lake Community Action Agency, introduced program beneficiary, Carl Bailey, from 419 Cardinal Drive in Eustis.

Mr. Bailey thanked the Commission, cited the repairs made to his home and expressed support for the program and its benefits to the community.

Mr. Bridges provided a report on the progress of the program being done in partnership with the City of Eustis for weatherization and other rehabilitation including roofing. He explained how the City's funding has assisted them with expanding their program to include services they could not do with the federal funding. He commented on issues with one applicant noting that the home has drywall that was proved to be highly toxic and recommended that the City not undertake that project. He then explained how the contractors are paid and when. He noted they currently have 35 applicants on the waiting list. He confirmed that they have developed an education packet for the applicants to help the homeowners and insure repairs last longer.

Commissioner Cobb reported on her relationship with Scott's roofing company noting she had contacted them on behalf of LCAA, and the company agreed to work out the details with them.

Commissioner Hawkins asked that the post-inspections be conducted before the contractors are paid with Mr. Bridges indicating he would work to get that scheduled with him. He noted that state inspectors also inspect the homes. Commissioner Hawkins then asked how much money is left of the City's fund.

Tom Carrino, City Manager, reported that they started the fiscal year with \$214,000. There was one project that brought the total to just under \$200,000. He noted there are invoices for three that the City just received with five remaining.

Mr. Bridges reconfirmed he is recommending they not complete the McCleod house and stated he had been provided information regarding County programs that may be available to him.

Commissioner Hawkins asked if the pre-inspections for the remaining homes could be done at the same time the other post inspections are done with Mr. Bridges explaining how the formal inspections are scheduled and stating that is what determines what work can be done on each home.

Mr. Carrino reported that the total for the three invoices presented, including administrative fees, is \$49,000. He asked what the estimate is for the fourth home with Mr. Bridges estimating it at \$12,000. Mr. Carrino stated that would leave approximately \$130,000; however, there are still homes on the waiting list.

The Commission confirmed they are still encouraging the applicants to remain on the County's waiting list. It was also confirmed that they also provide information in Spanish.

The Commission questioned how the applicants got on the list with Mr. Bridges explaining they use the same criteria based on the federal program. He stated it is a point system based on which criteria the applicant matches. He also confirmed that the applicants approved will receive services from both the City's program and the LCAA programs. He reviewed the basic criteria and added that there is a 15-year wait before they can apply for services again.

Mr. Carrino noted that, with city manager approval, the total for an individual house can go above \$12,000 if necessary and they have done so.

Vice Mayor Lee announced she has been working on a program to hold workshops and classes for homeowners regarding ownership and upkeep and asked to get the LCAA recipients involved in the program.

4. APPOINTMENTS

4.1 Appointment to Code Enforcement Board - Carol S. Kirsts

Carol Kirsts introduced herself, reviewed her background in property management and expressed her desire to give back to the community.

Moved by Vice Mayor Lee, seconded by Commissioner Cobb, to approve the appointment of Carol S. Kirsts to the Code Enforcement Board as an alternate for a three-year term. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

5. AUDIENCE TO BE HEARD

- 5.1** Cindy Newton thanked staff for the meeting held on Monday. She commented on the "Back to School bash" and thanked Commissioner Hawkins for supporting Lake Cares. She also thanked Mayor Holland for his participation in the NAACP citizen town hall regarding Lake County population growth.

Tom Carrino, City Manager, asked Chief Capri to provide an update on the Police Department's accreditation.

Police Chief Craig Capri reported on the re-accreditation process and reviewed what is included in that process. He announced that the report indicated the inspectors found no deficiencies or violations. He noted that the accreditation opens up the possibility of obtaining additional grant funds. He stated that the group was very complimentary regarding the department's relationship with the Commission.

Chief Capri then reported on the retirement of Sgt. Elena Pasek. He indicated that she would be coming back part-time as the civilian Police Support Coordinator.

6. ORDINANCES, PUBLIC HEARINGS & QUASI-JUDICIAL HEARINGS

- 6.1** Resolution Number 22-50: Approval of an Agreement with the School Board of Lake County, Florida, pertaining to the provision of School Resource Officers

Sasha Garcia, Acting City Attorney, announced Resolution Number 22-50: Approval of an Agreement with the School Board of Lake County, Florida, pertaining to the provision of School Resource Officers.

Mayor Holland opened the public hearing at 6:54 p.m. There being no public input, the hearing was closed at 6:54 p.m.

Moved by Commissioner Hawkins, seconded by Vice Mayor Lee, to approve Resolution Number 22-50. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

- 6.2** Explanation of Ordinances for 2022-A-04, 2022-CPLUS-04 And 2022-DD-04: Property located on the south side of county road 452, west of North Country Road (alternate key numbers 1743346 and 3840638) Ordinance Number 22-18 – Voluntary Annexation, Ordinance Number 22-19 – Comprehensive Plan Amendment, and Ordinance Number 22-20 – Design District Assignment

Ms. Garcia read Ordinance 22-18 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Florida, voluntarily annexing approximately 4.8 Acres of real property at alternate key numbers 1743346 and 3840638, on the south side of County Road 452, West of North Country Road.

Jeff Richardson, Deputy Director of Development, reviewed the proposed annexation, assignment of the future land use designation and designation of the design district. He stated the request is for annexation of 4.8 acres located on the south side of CR 452, west of North Country Road with a future land use of Suburban Residential and a design district of Suburban Neighborhood. He indicated the site is contiguous to City limits and would begin to close the gap in the City's natural growth boundary. He reviewed the requested land use designation and compared it to the existing County designation. He stated the Suburban Neighborhood design district is consistent with the properties to the west and the south. He confirmed all three ordinances were properly advertised and noticed and stated staff's recommendation for approval.

Ms. Garcia opened the public hearing at 6:59 p.m.

Tim Green, Green Consulting Group, indicated he was there representing the applicant and to answer any questions.

Commissioner Cobb reported she did speak with Homes in Partnership regarding the project.

Lisa Lotty expressed concern with the future land use which would allow five dwellings per acre which could result in 20 units and the resulting impact on the traffic. She also expressed concern regarding the possible effect on the water pressure and on their property values due to the possibility of low income housing being placed on the property.

Mayor Holland explained the land use regulations allow "up to 5". They are not guaranteed five. He indicated, when the property is brought forward for actual development, homeowners can come back to the Commission. He confirmed there would be a traffic study required.

Mr. Green stated the County's current designation would allow four units in the county and five units in the City so there could only be 4.8 more units than what could be created in the County. He stated the traffic impact analysis would show only a minor effect. He indicated the level of service for water will be monitored. He commented that Homes In Partnership is not a limited agency and they represent a segment of the community that needs to be served.

Kenneth Goodwin, Executive Director for Homes In Partnership, responded to the concerns and stated they want to try and replicate what is in the Lake Yale community. He explained they build homes with funding from the U.S. Dept. of Agriculture. He estimated the homes would most likely sell from \$225,000 to \$250,000; however, they will appraise for \$300,000 to \$350,000. He acknowledged they are for the low and very low income persons; however, because they are funded by the USDA the interest rate is considerably lower than the market rate which enables the lower income person to afford the home with a mortgage payment of approximately \$1,000 to \$1,300 per month including taxes

and insurance. He commented on the local housing economy, how much an individual should spend for their housing and explained how the program assists them in obtaining an affordable, decent home. He explained the types of homes they construct and stated most of their buyers remain in the home for some time. He further explained the required credit score and how the HUD counselors prequalify and counsel the applicants. He explained that, unlike Habitat for Humanity, they do not typically build one house at a time. He emphasized that the homeowners help complete the homes. He stated their communities are workforce housing and cited the types of career people who utilize their program.

The Commission confirmed that the community would have a HOA with Mr. Goodwin responding that any time they build a community with more than four units it is mandated there is a HOA. He stated it is not turned over to the home buyers until it is 90% occupied. He also confirmed there would be no rentals and no Section 8 housing.

The Commission confirmed that the homeowner does purchase the land and then receive a mortgage for construction of the home.

Mr. Goodwin stated he would be happy to invite the Commission to the first home for a ribbon cutting.

There being no further public comment, the hearing was closed at 7:16 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to approve Ordinance Number 22-18 on first reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

6.3 Ordinance Number 22-19: Assigning future land use designation to approximately 4.8 acres located on south side of County Road 452, west of North Country Road

Ms. Garcia read Ordinance Number 22-19 by title 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 4.8 acres of recently annexed real property at alternate key numbers 1743346 and 3840638, on the south side of County Road 452, west of North Country Road, from Urban Low in Lake County to Suburban Residential in the City of Eustis.

Ms. Garcia opened the public hearing at 7:17 p.m.

Cindy Newton stated she is representing Sharon Roberts who is handicapped and could not attend and asked if the road will be paved.

Mr. Green responded that the road would be paved up to the entrance which is anticipated to be off Country Road, not off CR 452.

There being no further public comment, the hearing was closed at 7:18 p.m.

Moved by Vice Mayor Lee, seconded by Commissioner Cobb, to approve Ordinance Number 22-19 on first reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

6.4 Ordinance Number 22-20: Assigning the Suburban Neighborhood design district designation to approximately 4.8 acres located on the south side of County Road 452, west of North Country Road

Ms. Garcia read Ordinance Number 22-20 by title on first reading: An Ordinance of the City Commission of the City of Eustis, Lake County, Florida; assigning the Suburban Neighborhood Design District Designation to approximately 4.8 acres of real property at alternate key numbers 1743346 and 3840638, located on the south side of County Road 452, west of North Country Road.

Ms. Garcia opened the public hearing at 7:18 p.m. There being no public comment, the hearing was closed at 7:18 p.m.

Moved by Commissioner Cobb, seconded by Vice Mayor Lee, to approve Ordinance Number 22-20 on first reading. Motion carried by the following votes:

Ayes: Commissioner Cobb, Commissioner Hawkins, Vice Mayor Lee and Mayor Holland

7. OTHER BUSINESS

7.1 Direction on Evaluation Committee composition for the Request for Qualifications regarding the former Waterman site

Mr. Carrino noted the Request for Qualifications for development of the former Waterman site was issued and two responses were received. He stated an evaluation committee would be formed to evaluate those responses. He indicated the committee would consist of staff members, primarily department directors; i.e. City Manager, Economic Development Director, Public Works Director, Finance Director, and Development Services Director. He indicated that there was some discussion about having a Commissioner serve on the committee. He stated that only one Commissioner could serve. He indicated the committee would bring its review back to the CRA and the Commission.

The Commission discussed whether or not to have one of the Commissioners sit on the committee.

Mr. Carrino noted that Commissioner LeHeup-Smith, who could not attend the meeting but was watching the livestreaming, had indicated to him that she would prefer not to have a Commissioner on the Committee.

CONSENSUS: It was a consensus of the Commission to not have a Commissioner sit on the evaluation committee.

7.2 Discussion on the former American Legion property

Mr. Carrino reported on the City's demolition of the former American Legion building. He stated that someone is interested in the former Bank of America property and had approached the City about whether or not it would be interested in selling the Legion property. He explained he informed that individual that the City typically uses an open sales process. He indicated that the best use of the property would be for it to be packaged with adjoining properties for a larger redevelopment; however, it is large enough for its own redevelopment. He provided different options for selling the property or retaining the property until a downtown master plan is developed.

The Commission discussed what to do with the property including marketing the property or waiting to complete a downtown master plan.

CONSENSUS: It was a consensus of the Commission for the City to retain ownership of the property for the time being.

RECESS: 7:28 P.M. RECONVENE: 7:36 P.M.

7.3 Discussion regarding the keeping of chickens in residential areas of the City

Mayor Holland explained that no decisions would be at the meeting; instead, they would begin the discussion and, if agreed to by the Commission, it would be brought back to another meeting for a full public discussion.

Mike Lane, Development Services Director, commented on the City's code references to agriculture and livestock. He stated that the Conditional Use Permit is applicable for anyone desiring to have chickens either as pets or a food source. He reported he had met with Mr. Kalapp regarding that process and he has submitted the application. He stated that would be staff's recommendation to utilize that process which would result in all requests coming before the Commission.

Commissioner Hawkins asked Chief Capri to report on his inspection of the property.

Chief Capri reported on his meeting with the Kalapps stating the property was neat and clean and the pen and backyard clean. He noted that the chickens were very friendly and they are giving the eggs away free to the community.

Commissioner Hawkins stated he understands where the City has stood on the issue in the past. He indicated he was unsure how to work through the issue without it getting out of control. He confirmed the cost of the permit is \$800 and asked Mr. Kalapp to address the Commission. He questioned the purpose of the chickens.

Charles Kalapp explained his wife suffers from anxiety attacks and they obtained the chickens right after Christmas. He stated she has had no attacks since obtaining the chickens. He explained how they have cared for the chickens and stated they have eight chickens. He acknowledged that Lake County restricts them to five. He indicated that, if they are allowed to have the chickens, they will reduce their flock to five and give three to their daughter who lives in Coleman. He added they provide from six to eight eggs per day and they have been giving those

away. He reported they have had no complaints from their neighborhoods, in fact, one was very upset that they might have to get rid of the chickens.

Commissioner Hawkins expressed support for allowing up to five chickens and having a reduced fee. He cited issues with determining how to control it.

Mayor Holland asked to see copies of Lake County and other cities' ordinances.

Vice Mayor Lee stated there are others that were made to get rid of their chickens and the City needs to stick to its regulations.

Mayor Holland asked if the other people were given the option of obtaining a conditional use permit. It was unknown if that was offered.

Commissioner Hawkins responded that just because it was done one way in the past, doesn't mean it always has to be done that way. He noted that it was only accidental that the City even learned the Kalapps had chickens.

Commissioner Cobb asked why the Kalapps did not do their due diligence to confirm that chickens were allowed with Mr. Kalapp responding that his contractor, realtor and home inspector all indicated that chickens were allowed.

Commissioner Cobb further expressed the need for individuals to check the City's ordinances, not the County's. She expressed further concern regarding who would monitor citing existing code enforcement issues. She noted other issues with handling chickens and indicated existing agricultural property is out at the edges of the City.

Mayor Holland asked if the Kalapps have paid the permit fee. He noted the City will have to address the issue as it annexes rural areas into the community.

Discussion was held regarding retaining the agricultural designation so that newly annexed property owners will be able to retain their livestock.

Mayor Holland asked to have the other city and county ordinances be provided to the Commission and that an additional discussion be held on a future agenda.

The Commission discussed whether or not to recommend that the Kalapps submit their application for a conditional use permit.

Mr. Carrino noted that the conditional use process gives the Commission the authority to decide on a case by case basis. He commented on the possibility of creating overlay districts that would allow livestock.

The Commission discussed returning an applicant's fee if they are denied a permit.

Mr. Lane stated the City has design districts for urban, suburban and rural. He indicated that the City does not have many rural design districts and suggested the City could consider redistricting some areas that are more rural to allow more agricultural type uses.

Mayor Holland said that is a larger discussion for the future and cited the need to reduce the "up to five units per acre". He indicated that needs to be discussed in a workshop.

Mr. Carrino stated that Commissioner LeHeup-Smith emailed him stating they need to equate the number of chickens to the size of the property, there needs to be no roosters and she expressed support for overlay districts and discussing rural design districts.

CONSENSUS: It was a consensus to have staff provide the referenced ordinances and to bring it back in September. It was also agreed to hold off on the code enforcement case and the conditional use permit application.

8. FUTURE AGENDA ITEMS: NONE

9. COMMENTS

9.1 City Commission

Vice Mayor Lee thanked the City Manager for his assistance in obtaining two computers for the resource center.

Commissioner Hawkins thanked the Police, Fire, Events staff, City Manager, and Parks and Rec staff for the Battle of the Badges blood drive and commented on how great the event was. He thanked everyone for the donations to the organization that supported his nephew while he was alive. He invited everyone to come to the Lake Cares food drive on September 14th. He explained they want to hold it somewhere in Eustis and noted that Publix will be donating food and will probably have about 100 of their employees helping.

Commissioner Cobb announced the Breakfast for Educators was held at the Umatilla Chamber of Commerce. She noted the gift basket provided by Events and cited donations made by Cobb Tractor as well stating that Eustis was well represented.

Commissioner Hawkins provided an update on the County Commission meeting and noted that there was some concern about Lake Cares moving to their new site on Hwy. 19 in Mount Dora. He stated that the County did pass their application.

Mayor Holland noted that the new location is not within City Limits but they do serve a significant number of Eustis' population.

9.2 City Manager

Mr. Carrino asked to hold the Cemetery workshop on August 18th at 5:00 p.m.

The Commission discussed some of the issues with the cemetery and how well only two people are able to keep it up with Mayor Holland indicating that after the workshop they will need to schedule a future agenda item concerning the cemetery.

Mr. Carrino announced that Horace Jones with the Eustis Housing Authority would provide a presentation at a future meeting. He then acknowledged there have been some technical issues with the agenda preparation software and livestreaming. He stated the City Clerk is considering other software and the costs in the proposals are within budget; however, there may be an additional cost for overlap for the transition to a new program.

Mr. Carrino then announced that the City Manager's Secretary Serita Hill is working towards retirement at the end of September or beginning of October. He indicated her position has been advertised and noted all of the departments she provides support to.

Commissioner Cobb and Mayor Holland both expressed support for dividing up that position's responsibilities and to hire someone just to handle the day to day phone calls and direct people to the appropriate departments. They also expressed opposition to utilizing the phone tree.

Mr. Carrino indicated he would work with the HR Director but noted all departments are growing citing particularly the Development Services department. He then reminded the Commission that due to state law regarding the approval of millage rates the September meetings are being shifted to September 8th and 22nd.

9.3 City Attorney

Sasha Garcia, Acting City Attorney, introduced herself noting she has been part of Lake County for over eight years.

9.4 Mayor

Chief Mike Swanson announced that one of the Fire Department's staff members has been with the department for eleven years and is ill with a brain tumor and will be undergoing surgery. He asked everyone to keep him in their prayers.

Mayor Holland thanked the public for staying with the meeting. He announced First Friday would be the next night and would include a pep rally for Eustis High School and would feature the EHS Band.

10. ADJOURNMENT: 8:24 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