

1 **City of Minneola**  
2 **Regular Council Meeting**  
3 **Minneola City Hall**

**July 11, 2006**  
**7:00 P.M.**

4  
5 The City of Minneola Regular Council Meeting was called to order by Mayor David  
6 Yeager. Present were: Councilman Shane Perreault, Councilwoman Sue Cordova, Vice  
7 Mayor Ed Earl, Councilman Joseph Teri, Scott Gerken (City Attorney), Jan McDaniel  
8 (City Clerk), Lt. Greg Link (LCSO), Bruce Behrens (City Manager), Chief  
9 Dobrzykowski (MFD), Carl Gosline (Community Development Director), and Peter  
10 Brandt (Planning Consultant).

11  
12 A moment of silence was observed and the Pledge of Allegiance was spoken.

13  
14 **Agenda Review**

15  
16 **Mayor Yeager:** Stated that the Hills of Minneola 2<sup>nd</sup> reading would be pulled from this  
17 agenda, and that the Fire Dept Grant request would also be pulled from the agenda.

18  
19 **Engineering Reports**

20  
21 **Marc Walch:** Requested approval of a contract addendum for the additional scope of  
22 services provided by his firm.

23  
24 **MOTION by Sue Cordova, SECONDED by Shane Perreault to approve the PBS&J**  
25 **agreement.**

26  
27 **AYE:** Perreault, Cordova, Yeager, Earl, Teri

28  
29 **NAY:** None

30  
31 **MOTION PASSED: 5-0**

32  
33 **Marc Walch:** Continued by giving an update to the Council on the easement  
34 acquisitions.

35  
36 **Tab # 2 Ordinance 2006-16 K B Homes Quasi-Judicial Hearing @ 7:10 P.M.**

37  
38 *Mayor Yeager called a 10 minute recess at 8:05. The meeting reconvened at 8:15 P.M.*

39  
40 **Tab # 3 Ordinance 2006-19 Hills of Minneola Quasi-Judicial Hearing (Tabled at**  
41 **agenda review section).**

42  
43 **Mayor Yeager:** Requested that workshop dates be set for the Hills of Minneola.

44  
45 Council agreed to August 1<sup>st</sup> and August 15<sup>th</sup> as workshop dates for the Hills of  
46 Minneola.

1 **Tab # 4 Resolution 2006-06 PG&G Right of Way Vacation**

2  
3 **Scott Gerken:** Read Resolution 2006-06 by title only and explained that the Resolution  
4 had been re-advertised.

5  
6 **Peter Brandt:** Explained that a rezoning and small scale comprehensive plan application  
7 had been received from the applicant and would be coming to council in the future as  
8 requested by the Council.

9  
10 **Shane Perreault:** Stated he was fine with the ROW vacation since the rezoning  
11 application had been submitted.

12  
13 **Sue Cordova:** Stated she would like the B-1 rezoning to be approved prior to approving  
14 the ROW vacation.

15  
16 **Ed Earl:** Stated he agreed with Ms. Cordova but that he was not in favor of the vacation  
17 behind the homes in Lakewood Ridge.

18  
19 **Joe Teri:** Asked if the right of way would go to the homeowners.

20  
21 **Scott Gerken:** Explained the ROW would go to this applicant.

22  
23 A general discussion pursued regarding the rezoning of the property.

24  
25 **Mayor Yeager:** Asked for public comment. There were no comments.

26  
27 **MOTION by Ed Earl to approve Resolution 2006-06 changing the vacation of**  
28 **Center Street on the East side and Rockwell Ave on the West side and Oakland Ave.**

29  
30 Council again discussed the request.

31  
32 **AMENDED MOTION by Sue Cordova, SECONDED by Shane Perreault approve**  
33 **Oakland, Silverton and the western portion of Center Street on Resolution 2006-06**  
34 **and to table approval of the eastern portion of Center and Rockwell until the zoning**  
35 **change agreement comes before us.**

36  
37 **AYE:** Perreault, Cordova, Earl, Teri

38  
39 **NAY:** Yeager

40  
41 **MOTION PASSED: 4-1**

42  
43 **Tab # 5 Ordinance 2006-20 Budget Adjustment 1<sup>st</sup> Reading**

44  
45 **Scott Gerken:** Read Ordinance 2006-20 by title only for the first time.

46  
47 **Sue Cordova:** Asked how the new position of Community Development Director had  
48 been added to the budget, when the Council had requested a Planner.

1  
2 **Bruce Behrens:** Explained that Mr. Gosline would also be overseeing the Building  
3 Department and Code Enforcement, and that there would be more supervisory jobs  
4 handled by Mr. Gosline.

5  
6 **Mayor Yeager:** Asked for public comment. There were no comments.

7  
8 There were no further comments from the Council.

9  
10 *1<sup>st</sup> Reading; no action taken.*

11  
12 **Tab # 6 Ordinance 2006-21 Code Changes 1<sup>st</sup> Reading**

13  
14 **Scott Gerken:** Read Ordinance 2006-21 by title only for the first time.

15  
16 **Mayor Yeager:** Asked for Council comments.

17  
18 **Ed Earl:** Requested that in Sec. 86-73 the word designee be removed from the change of  
19 city manager or designee.

20  
21 Council agreed.

22  
23 **Joe Teri:** Requested that in Sec. 102 -442 be changed from city manager to Council, and  
24 that part (2) of that section stating ten percent land use change is too high.

25  
26 **Sue Cordova:** Requested that the entire Section 102-44 be pulled from this code change,  
27 and to consider the section at a later time.

28  
29 Council agreed.

30  
31 **Tab # 7 Ordinance 2006-22 Endangered Species Protection**

32  
33 **Scott Gerken:** Read Ordinance 206-22 by title only for the first time.

34  
35 **Mayor Yeager:** Asked for Council comments.

36  
37 **Shane Perreault:** Stated he liked the Ordinance as written.

38  
39 **Sue Cordova:** Requested that in Section 4 add the wording that unless specifically  
40 addressed in verbal or written agreements; and in Section 2 B that any incidental take  
41 permit would come before the Council and done at a public meeting.

42  
43 **Ed Earl:** Stated he did not like the Ordinance as written. He explained that under the  
44 incidental take section he disagreed with the wording of other applicable state or federal  
45 agencies; in Section 2 asked for clarification on entombment and killing of listed species  
46 incidental to development activities; in Section 2 B # 1 requested to remove the last  
47 sentence of the section; in Section 1 to remove the last sentence.

1 **Joe Teri:** Section 2 part 2 requested that the section or obtain an incidental take permit  
2 in according with FFWCC regulations; and that overall, the Ordinance was not strong  
3 enough, in his opinion.

4  
5 **Mayor Yeager:** Asked for public comments.

6  
7 **Jim Frana (208 Lace Bark Ct.):** Asked that the Council make sure that all endangered  
8 species are included.

9  
10 **Brent Wynn (Mt. Dora):** Stated that he had six acres available for relocation of gopher  
11 tortoises.

12  
13 **Amy Townsend (Apopka):** Explained that she was an Environmental Consultant and  
14 that the state was currently working on new guidelines to protect the gopher tortoises.

15  
16 **Sue Cordova:** Stated that the developer must look at not only the gopher tortoises but all  
17 the other species that might inhabit the tortoise burrow.

18  
19 **Richard Gonzales (Windermere):** Stated that he applauded the Council for protecting  
20 endangered species.

21  
22 *First reading, no action taken.*

23  
24 **Tab # 8 Resolution 2006-11 Traffic Signal Maintenance Agreement**

25  
26 **Scott Gerken:** Read Resolution 2006-11 by title only and explained that this agreement  
27 was for the maintenance of the new traffic light at Grassy Lake Road & Oak Valley  
28 Boulevard.

29  
30 A discussion pursued regarding the wording of the agreement.

31  
32 **Mayor Yeager:** Asked for public comments. There were no comments.

33  
34 **MOTION by Ed Earl, SECONDED by Joe Teri to approve Resolution 2006-11.**

35  
36 **AYE:** Perreault, Cordova, Yeager, Earl, Teri

37  
38 **NAY:** None

39  
40 **MOTION PASSED: 5-0**

41  
42 **Tab # 9 Fire Dept. Federal Grant for Staffing – tabled**

43  
44 **Tab # 10 Agreement with Lake County for Storm Debris Removal**

45  
46 Explained that the agreement had been amended to state that upon receiving written  
47 request from the City, Lake County agrees to collect and dispose of the storm debris.

1 **MOTION by Shane Perreault, SECONDED by Sue Cordova to approve the Lake**  
2 **County agreement.**

3  
4 **AYE:** Perreault, Cordova, Yeager, Earl, Teri

5  
6 **NAY:** None

7  
8 **MOTION PASSED: 5-0**

9  
10 **Tab # 11 MPO Technical Advisory Board**

11  
12 **Bruce Behrens:** Stated that the Council needed to appoint Carl Gosline to the MPO  
13 Technical Advisory Board.

14  
15 **Carl Gosline:** Stated that the Council also needed to appoint an alternate for the Mayor  
16 to the MPO Board.

17  
18 **Ed Earl volunteered to serve as the alternate on the MPO Board.**

19  
20 **MOTION by Joe Teri, to appoint Ed Earl as the alternate on the MPO Board.**

21  
22 **Sue Cordova AMENDED the MOTION to appoint Ed Earl as the alternate on the**  
23 **MPO Board to Mr. Yeager's position, and to appoint Carl Gosline as the**  
24 **representative on the MPO Technical Advisory Board.**

25  
26 **SECONDED by Ed Earl.**

27  
28 **AYE:** Perreault, Cordova, Yeager, Earl, Teri

29  
30 **NAY:** None

31  
32 **MOTION PASSED: 5-0**

33  
34 **Reports:**

35  
36 **Bruce Behrens:** Referred to his City Manager's Report (Exhibit A) which had been  
37 distributed to the Council, and asked if there were any questions. He also distributed  
38 2006-2007 budget information for the July 18<sup>th</sup> workshop.

39  
40 **Sue Cordova:** Asked why the City Manager & the Mayor had attended a meeting with a  
41 developer when they had been advised not to in the past.

42  
43 A general discussion pursued regarding the meeting, with Ms. Cordova stating that she  
44 did not like the impression made when these types of meetings are held and asked Mr.  
45 Behrens not to allow those types of meetings to occur.

46  
47 **Ed Earl:** Referring to Mr. Behrens report, asked Lt. Link how the deputies would  
48 determine local truck traffic.

1  
2 **Lt. Link:** Stated they would mainly distinguish the type of trucks, such as car carriers,  
3 that do not belong in the area.

4  
5 **Chief Dobrzykowski:** Distributed a 3<sup>rd</sup> quarter report to the Council; reported that a  
6 grant had been received for \$34,240.00 and requested the Council release the matching  
7 funds from the City in the amount of \$11,413.65.

8  
9 **MOTION by Shane Perreault, SECONDED by Joe Teri to appropriate \$11,240.65**  
10 **to match the grant.**

11  
12 **Sue Cordova:** Asked what line item the funds would come from.

13  
14 **Linda Crane:** Stated that there was not a line item and the funds would need to come  
15 from reserves.

16  
17 **Bruce Behrens:** Stated that he would bring back a recommendation as to where the funds  
18 would be taken at the next meeting.

19  
20 **AYE:** Perreault, Teri

21  
22 **NAY:** Cordova, Yeager, Earl

23  
24 **MOTION FAILED: 2-3**

25  
26 **Shane Perreault:** Asked Lt. Link as to the status of the No Truck Overnight Parking  
27 signs being placed in the Handy Way next to City Hall.

28  
29 **Scott Gerken:** Explained that information had been included in the pocket of the  
30 Council packet and asked the Council to review those documents. He explained that after  
31 researching some records, that Banyan Homes were responsible for building another road  
32 from Quail Valley; that the City will soon have the final documentation of ownership of  
33 the Silverton Beach property; and that an Ordinance regarding a St. Augustine grass ban  
34 could be on the next agenda if Council agreed.

35  
36 **Sue Cordova:** Requested a new animal control interlocal agreement with the County to  
37 be drafted; stated that she believed Mr. Gammon had stated that he would build the road  
38 prior to turning over the package treatment plant.

39  
40 **Ed Earl:** Agreed that a new animal control agreement was needed; requested consensus  
41 of the council for the building of the road; and requested that the discussion for Charter  
42 Amendments be on the next agenda; and stated that he did not believe that the  
43 proportionate share concept for the roads was in the best interest of the City.

44  
45 *Council consensus was that Mr. Gammon to build the road.*

46  
47 **Joe Teri:** Asked if Mr. Gerken had looking into the idea of obtaining park names.

1 **Scott Gerken:** Stated he would bring some information back at the next meeting.

2  
3 **Mayor Yeager:** Reported that he had met with Mr. Gammon in the past regarding  
4 obtaining conservation areas and that the road would go right through the property that  
5 could be used for conservation.

6  
7 **Shane Perreault:** No report.

8  
9 **Sue Cordova:** Stated that she would like to see the City of Minneola offer an extra tax  
10 exemption to our low income seniors.

11  
12 Council agreed.

13  
14 **Sue Cordova:** Requested any updates from Mr. Behrens & Mr. Gerken on the Minneola  
15 Market as they are received and requested a school concurrency Ordinance be drafted  
16 now and asked who would be attending the July 26<sup>th</sup> meeting on proportionate share  
17 meeting.

18  
19 *Carl Gosline and Peter Brandt stated they would be attending.*

20  
21 **Ed Earl:** Asked that the street sweeper be used after the yard waste is picked up through  
22 out the City and asked for an update on the completion of Turkey Farm Road and  
23 discussed the Silverton Beach property and asked that the City look into purchasing the  
24 property on the southeast side of Silverton for a park.

25  
26 **Carl Gosline:** Stated that letters had been sent to the developers that the road must be  
27 completed and that the road will possibly be discussed at the proportionate share meeting  
28 and he would bring back a report.

29  
30 **Bruce Behrens:** Stated a plan had been submitted to the County by the developers.

31  
32 A general discussion pursued regarding the Silverton Beach area.

33  
34 **Ed Earl:** Requested a workshop be set on Waste Management.

35  
36 Council agreed to August 29<sup>th</sup> workshop without any representative from Waste  
37 Management present at that meeting.

38  
39 **Joe Teri:** Asked if the Fire Department was still planning a fund raiser and requested a  
40 list of desires and park rankings to be drafted and asked that a workshop be scheduled on  
41 an Education Facility Benefit District and requested that a workshop be held on the trail  
42 system and Main Street beautification.

43  
44 **Bruce Behrens:** Stated that he believed that a professional park planner should be used  
45 to design the parks, trails and improvements to Main Street. He explained that he would  
46 bring it up at the budget workshop.

47  
48 Council agreed to discuss the EFBD at the August 29<sup>th</sup> workshop.

1 **Mayor Yeager:** Explained that two acres next to City hall was for sale and asked if the  
2 Council would consider purchasing that property; and stated that the Reserve and  
3 Founders Ridge should be included in an Education Facility Benefit District.

4

5 Council agreed that the City Manager should look into the possibility of purchasing the  
6 property next to City Hall.

7

8 The meeting adjourned at 10:40 P.M.

9

\_\_\_\_\_  
Mayor David Yeager

10

11

12

13 ATTEST:

14

15

\_\_\_\_\_  
Jan McDaniel, CMC

16