

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

**Aug. 8, 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 **Approval of the Minutes**

15  
16 Special Council Meeting  
17 Council Workshop

July 25, 2006 @ 7:00 P.M.  
July 27, 2006 @ 7:00 P.M.

18  
19 **Sue Cordova:** Corrected line 28 & 29 on pg 1 of 12 of the July 25<sup>th</sup> minutes, to include  
20 that there would be no delay in building of the fence by the developer; pg 11 of 12 line 38  
21 should be two business owners and four residents on Galena; and pg. 10 of 12, line 5,  
22 change faded to phased.

23  
24 **Ed Earl:** Corrected Pg 6 of 12-line 11, requested that striking the references to new  
25 positions in department 516 to be removed; pg 9 of 12 to add the word who defines a  
26 vicious animal; pg 11 of 12, line 9 add and it would be enforceable if in the developers  
27 agreement.

28  
29 **MOTION by Sue Cordova, SECONDED by Shane Perreault to approve the minutes**  
30 **as amended.**

31  
32 **AYE:** Perreault, Cordova, Yeager, Earl, Teri

33  
34 **NAY:** None

35  
36 **MOTION PASSED: 5-0**

37  
38 **Agenda Review**

39  
40 **Shane Perreault:** Requested that tab # 3, the Ladd/Lowndes property annexation &  
41 rezoning be tabled until after a workshop.

42  
43 **Sue Cordova:** Stated that she had several questions and she would prefer to go over  
44 them at a workshop.

45  
46 **Ed Earl:** Stated that several addresses on Sullivan Road were not on the notification list.

47  
48 **Joe Teri:** No comments.

1 **Mayor Yeager:** Stated he preferred to go forward at this meeting.

2  
3 **Sue Cordova:** Requested that the Council at least hear from the public on this subject.

4  
5 A general discussion pursued regarding noticing of adjoining property owners.

6  
7 **Peter Brandt:** Stated he would look into the notification requirement and get back to the  
8 Council.

9  
10 **Audience to Be Heard**

11  
12 **Mayor Yeager:** Asked for public comment.

13  
14 **Scott Gerken:** Swore in those wishing to speak on the matter.

15  
16 **Jeff Frisz (12421 Sullivan Road):** Complained that Sullivan Road was a hazard for  
17 anyone traveling on the road and asked that the road be repaired.

18  
19 **Jim Frana (208 Lace Bark Ct.):** Also complained that Sullivan Road was in terrible  
20 shape, and also Grassy Lake Road was in need of repair.

21  
22 **Christy Jarzemski (12711 Sullivan Road):** Explained that she had complained about  
23 the trash being left in the area by the contractors who were working on the road, and that  
24 the problem had improved.

25  
26 **Tab # 2 School Concurrency Update**

27  
28 **Tim Green:** Gave an update on the latest school concurrency information (Exhibit A).  
29 He explained that a meeting was scheduled for August 23, @ 6:00 p.m. at Lake  
30 Receptions in Mount Dora for Lake County, all 14 municipalities and the School Board.  
31 He stated that it would be the first time in the history of Lake County that all  
32 municipalities Councils/Commissions, the School Board and the County Commission had  
33 all met in one place. He also explained that all parties would have to agree on the  
34 agreement, and he would like the Council to get their questions to him so he can answer  
35 all the questions prior to that meeting. He also explained how and when the agreement  
36 would be put in place.

37  
38 **Peter Brandt:** Explained the notification process regarding the Lowndes/Ladd property  
39 and that he believed all property owners were notified per the city's requirements.

40  
41 **Ed Earl:** Stated he would agree to the first reading, but would like to schedule a  
42 workshop on the Lowndes/Ladd property.

43  
44 **Joe Teri:** Stated that he was ready for the first reading.

45  
46 Consensus of Council was to have first reading, but that another first reading would be  
47 required after a workshop was held.

1 A ten minute break was called at 8:00 p.m. The meeting reconvened at 8:10 p.m.

2  
3 **Tab # 3 Ordinance 2006-01 Quasi-Judicial Hearing @ 8:10 P.M.**

4  
5 **Tab # 4 2006-29 Tax Exemption for Seniors with Limited Income**

6  
7 **Scott Gerken:** Read Ordinance 2006-29 by title only for the second time.

8  
9 Each Council member expressed their support of the Ordinance.

10  
11 **Mayor Yeager:** Asked for public comment.

12  
13 **Jim Frana (208 Lace Bark Ct.):** Asked if a lifelong exemption from Ocoee had been  
14 researched.

15  
16 **Bruce Behrens:** Stated that the City Clerk had requested the information from Ocoee  
17 and had been informed that there was not a lifelong exemption that Ocoee was aware of.

18  
19 **MOTION by Shane Perreault, SECONDED by Joe Teri to approve Ordinance**  
20 **2006-29.**

21  
22 **AYE:** Perreault, Cordova, Yeager, Earl, Teri

23  
24 **NAY:** None

25  
26 **MOTION PASSED: 5-0**

27  
28 **Tab # 5 Ordinance 2006-30 Vicious Animals**

29  
30 **Scott Gerken:** Read Ordinance 2006-30 by title only, for the second time.

31  
32 **Shane Perreault:** Stated he liked the Ordinance.

33  
34 **Sue Cordova:** Requested clarification on the number of signs to be posted on a fence  
35 (Section 10-11 B) and asked that signs would be posted that would be visible from each  
36 direction to be included.

37  
38 **Ed Earl:** Request that it state in the Ordinance who would determine if the animal was  
39 vicious.

40  
41 **Scott Gerken:** Stated that he believed the County Animal Control officer would make  
42 the initial determination, and that a judge would then make the final determination.

43  
44 **Joe Teri:** Stated he was in favor of the Ordinance but was not sure how much it would  
45 help the situation.

46  
47 Council discussed additional language regarding who would determine if an animal was  
48 vicious.

1 **Mayor Yeager:** Asked for public comment.

2  
3 **Jim Frana (208 Lace Bark Ct):** Again stated that he believed the animal owner should  
4 have a liability policy to cover their animal.

5  
6 **Eric Gonzalez (325 E. Chester St.):** Explained that in the past, the engineers who had  
7 conducted the stormwater survey had come into his back yard unannounced, and had his  
8 dogs been in the yard at the time, the gentleman would have been bitten. He asked that in  
9 that case, who would be responsible, and stated he did not believe that his animals would  
10 be vicious, but that the animal would be protecting the property.

11  
12 **David Williams (12420 N. Grassy Lake Rd.):** Stated that in Orange County, a judge  
13 made the final determination of a vicious animal.

14  
15 **MOTION by Joe Teri, SECONDED by Sue Cordova to approve Ordinance 2006-30.**

16  
17 **Shane Perreault:** Requested that a definition be included for unprovoked and that  
18 clarification on who determines a vicious animal also be included.

19  
20 **Scott Gerken:** Stated he would make any changes or additions and suggested that the  
21 Ordinance be tabled to the next meeting.

22  
23 **Sue Cordova:** Withdrew her SECOND.

24  
25 **MOTION by Shane Perreault, SECONDED by Ed Earl to table Ordinance 2006-30**  
26 **until August 22<sup>nd</sup> meeting.**

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

29  
30 **NAY:** None

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

33  
34 **Tab # 6 Ordinance 2006-31- Charter Amendments**

35  
36 **Shane Perreault:** Stated he believed all the requested changes had been made.

37  
38 Sue Cordova: Stated that she had noticed changes that had not been discussed, such as:

- 39
- 40 • Sect. 3.7 (a) that unless a majority of the Council votes otherwise had not been  
41 discussed
  - 42 • Stated that the section once each month on the second Tuesday of each month,  
43 except when this day falls on an election day or a holiday, then the meeting would  
44 be held on Thursday following the second Tuesday should remain in the section
  - 45 • Requested that may to be changed to must in the second sentence of Sect. 3.7
  - 46 • Requested that the vote to be majority plus one to be required when setting  
47 meeting days
  - Sec. 4.2 & Sec. 4.3 to change Councilmen to council members

- 1 • Sec. 11.12 to include the Council compensation
- 2 • Sec. 7 (D) should not exclude the Mayor from heading a board

3  
4 **Ed Earl:** Agreed with the changes.

5  
6 **Joe Teri:** Requested Sec. 7 (B) that a be added in front of three (3) year terms.

7  
8 **Mayor Yeager:** Stated that he would like to see the length of term be four years.

9  
10 **Sue Cordova:** Stated that she preferred two year terms, but would like to put the  
11 question to the voters, and that seat 2 & 4 would become three year terms in 2007 and  
12 seat 3 would remain a 2 year term at that time, seat 1 & 5 would go to a three year term in  
13 2008 and seat 3 would go to a three year term in 2009.

14  
15 **Ed Earl:** Agreed that he liked two year terms.

16  
17 **Joe Teri:** Stated he preferred three year terms.

18  
19 **Bruce Behrens:** Requested clarification of Sec. 4 regarding departments and what  
20 department had been created by Ordinance.

21  
22 **Scott Gerken:** Stated that clarification would be provided. He stated that at the March  
23 28<sup>th</sup>, 2006 meeting a motion had been passed to put the question of a Council pay raise  
24 on the ballot, and asked if that was still the Council wishes.

25  
26 Council discussed placing the question on the ballot.

27  
28 Consensus of the Council was not to place the question of a pay raise to the voters in this  
29 year's election. *Shane Perreault wanted the question on the ballot.*

30  
31 **MOTION by Sue Cordova, SECONDED by Ed Earl to overturn the vote done in**  
32 **March 2006, concerning a raise to the voters on the November ballot.**

33  
34 **AYE:** Perreault, Cordova, Yeager, Earl, Teri

35  
36 **NAY:** None

37  
38 **MOTION PASSED: 5-0**

39  
40 **MOTION by Sue Cordova, that on Ordinance 2006-31 when it comes back for 2<sup>nd</sup>**  
41 **reading there are all the changes previously discussed; and also to add on Section**  
42 **11.12 in reference to Council salary allowing the Council to lower it but not to raise**  
43 **it without a vote.**

44  
45 There was no second.

46  
47 **Tab # 7 Resolution 2006-14 Basin Management Action Plan**

1 **Scott Gerken:** Read Resolution 2006-14 by title only.

2  
3 **Sue Cordova:** Requested that Kathleen Harrigan return and give an update and  
4 clarification on the plan before the Council approves the resolution.

5  
6 **MOTION by Shane Perreault, SECONDED by Sue Cordova to table Resolution**  
7 **2006-14 to the August 22, 2006 meeting.**

8  
9 **AYE:** Perreault, Cordova, Yeager, Earl, Teri

10  
11 **NAY:** None

12  
13 **MOTION PASSED: 5-0**

14  
15 **Tab # 8 Resolution 2006-15 American Eagle Day 2007**

16  
17 **Scott Gerken:** Read Resolution 2006-15 by title only.

18  
19 Each Council Member approved of the Resolution.

20  
21 **Mayor Yeager:** Asked for Public comment.

22  
23 **Joe Emanuele (212 Grassy Lake Road):** Thanked the Council for bringing the  
24 Resolution forward and invited the Council to Timberline Creek Elementary in St.  
25 Augustine, on October 9<sup>th</sup> for the state kickoff for the American Eagle Federation.

26  
27 **MOTION by Ed Earl, SECONDED by Shane Perreault to approve Resolution 2006-**  
28 **15.**

29  
30 **AYE:** Perreault, Cordova, Yeager, Earl, Teri

31  
32 **NAY:** None

33  
34 **MOTION PASSED: 5-0**

35  
36 **Tab # 9 Matching Funds for the EMS Grant**

37  
38 **Chief Dobrzykowski:** Explained that the department had received a grant for 75% of the  
39 cost for 2 LifePak 12 cardiac monitors and requested the Council to release \$11,413.65  
40 from reserves for the City's 25% match of the grant (See Exhibit C for full explanation).

41  
42 **Shane Perreault:** Was in favor of the request.

43  
44 **Sue Cordova:** Was not in favor of taking the funds from reserves, but that the fund  
45 should be taken from the equipment line item for next year.

46  
47 **Ed Earl:** No comment.

1 **Joe Teri:** Was in favor of having a fund raiser and using funds raised for the grant  
2 match, and taking the remaining balance from reserves.

3  
4 **Chief Dobrzykowski:** Stated that a spaghetti/magic show fund raiser was scheduled for  
5 Friday Sept. 22<sup>nd</sup>.

6  
7 **Mayor Yeager:** Stated that he agreed with taking it from reserves now, but that next  
8 years budget would need to be reduced by that amount, to replace the funds taken from  
9 reserves.

10  
11 A general discussion pursued regarding where the funds should be take from.

12  
13 **Mayor Yeager:** Asked for public comment.

14  
15 **Joe Emanuele (212 Grassy Lake Road):** Suggested that the funds could be taken from  
16 the K B Homes fees.

17  
18 **MOTION by Shane Perreault, SECONDED by Sue Cordova to approve \$11,413.65**  
19 **to be pulled from reserves to match the cardiac monitor EMS grant; and that the**  
20 **amount will be subtracted from next years budget; and the City Manager may come**  
21 **back at mid year and find where the money could be pulled from to repay the**  
22 **reserves.**

23  
24 **AYE:** Perreault, Cordova, Yeager, Teri

25  
26 **NAY:** Earl

27  
28 **MOTION PASSED: 4-1**

29  
30 **Reports:**

31  
32 **Bruce Behrens:** Asked if Council had any questions regarding his report (Exhibit D)  
33 that was distributed to each Council Member. He requested that the Council donate funds  
34 to the MPO in the amount of \$100.00.

35  
36 **Council consensus was to donate \$100.00 to the MPO.**

37  
38 **Sue Cordova:** Asked if the City Manager had met with the two businesses and four  
39 residents on Galena Street in regard to closing the street per Council's direction at the last  
40 meeting.

41  
42 **Bruce Behrens:** Stated he had not met or spoken with them but that he would do that on  
43 Wednesday morning.

44  
45 **Joe Teri:** Asked if the City Manger had spoken to Harry Fix or Noah Powers regarding  
46 the clear cutting of the trees on the new school site.

47 **Peter Brandt:** Explained that the school board is exempt to permitting in all  
48 municipalities.

1  
2 **Lt. Link:** No report.  
3

4 **Chief Dobrzykowski:** Stated that the firefighters would be holding the annual MDA  
5 Boot Drive in two weeks, and their goal was to raise \$5,000.00.  
6

7 **Scott Gerken:** Reported that he had spoken with Mr. Gammon regarding his agreement  
8 with the City to build a road in Quail Valley when the package plant property was  
9 developed. He explained that Mr. Gammon stated that he would not be building a road,  
10 and reiterated his desire to work out an agreement with the City to exchange the road for  
11 property. He also stated that he was working with the Labor Attorney on the newly  
12 created positions, and suggested that a workshop be scheduled on the subject.  
13

14 Consensus of the Council was to schedule a workshop with Dottie Green the labor  
15 attorney.  
16

17 **Scott Gerken:** Requested that when the Council notes that there was something missing  
18 or a change needed to be made to a document, that the Council contact his office or staff  
19 prior to the meeting.  
20

21 **Sue Cordova:** Stated that she would like the Council to discuss the issue of  
22 excused/unexcused from the meetings.  
23

24 A general discussion pursued with Council as to what was excused or unexcused and  
25 what meetings would require attendance.  
26

27 Following the discussion Sue Cordova clarified that for now, the only meeting that would  
28 require attendance was the 1<sup>st</sup> meeting of each month which was referred to as a regular  
29 meeting.  
30

31 **Ed Earl:** Stated that the Council would determine if a member was excused or  
32 unexcused at the regular meeting.  
33

34 **Sue Cordova:** Requested that a Resolution in support of a County Affordable  
35 Workforce Housing Summit.  
36

37 **Scott Gerken:** Stated he would bring it back at the next meeting.  
38

39 **Sue Cordova:** Stated that the City had an Ordinance regulating the allowed hours of  
40 construction within the City.  
41

42 **Bruce Behrens:** Explained that the construction crew at the elementary school site  
43 required extended hours, and that after speaking with the City Attorney that it had been  
44 determined that the City Manager had the power to grant the extension.  
45

46 **Sue Cordova:** Requested that the notice to surrounding property owners should be  
47 notified when an adjoining property would be coming before Council, and not just prior  
48 to the P & Z meeting; requested that a donation from reserves be given to the Lake

1 County Water Alliance to help fight the Orange County CUP. She requested that a letter  
2 be sent to the school board regarding the condition of Sullivan Road & N. Grassy Lake  
3 Road and if a County advisor could check on the school bus safety on those roads.

4  
5 **Ed Earl:** Asked for an update on Turkey Farm Road and asked that a workshop be  
6 scheduled on the park at The Reserve.

7  
8 **Carl Gosline:** Stated that the City does not have the ability to bond subdivisions at this  
9 time, and that the plans for the road had been submitted to the County although no  
10 response from the County had been received.

11  
12 **Bruce Behrens:** Stated he would check into the matter and bring a report at the next  
13 meeting.

14  
15 **Ed Earl:** Again complained that the Council packets need to be sent out sooner to the  
16 Council and requested that items not be advertised until all information is available for  
17 review.

18  
19 **Mayor Yeager:** Requested that information not be given to the Council at the last  
20 meeting.

21  
22 **Joe Teri:** Requested that the workshop scheduled for Sept. 5<sup>th</sup> to be changed to Sept. 7<sup>th</sup>,  
23 and requested that the City move forward with Park name bids, and agreed that the  
24 minimum cost would be \$100,000 and requested the City Attorney to draw up a naming  
25 rights document.

26  
27 Council discussed the heavy workshop schedule.

28  
29 Council consensus was to change the workshop from Sept. 5<sup>th</sup> to the 7<sup>th</sup>.

30  
31 **Mayor Yeager:** Requested that the City do whatever is required to force Mr.  
32 Rahenkamp to finish his portion of Turkey Farm Road.

33  
34 Council agreed.

35  
36 **Bruce Behrens:** Stated he would bring an update on the matter back to the Council.

37  
38 The meeting adjourned at 11:58 P.M.

39  
40 \_\_\_\_\_  
41 Mayor David Yeager

42 ATTEST:

43  
44 \_\_\_\_\_  
45 Jan McDaniel, CMC