

1 **City of Minneola**
2 **Regular Council Meeting**
3 **Minneola City Hall**
4

Oct. 10, 2006
7:00 P.M.

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), and Peter Brandt (Planning Consultant).

10
11 A moment of silence was observed and the Pledge of Allegiance was spoken.
12

13 **Tab # 1 Approval of the Minutes**

14 Council Workshop	Sept. 19, 2006 @ 7:00 P.M.
15 Special Council Meeting	Sept. 26, 2006 @ 7:00 P.M.
16 Quasi-Judicial Hearing (Hills of Minneola)	Sept. 26, 2006 @ 7:35 P.M.

17
18 Mayor Yeager asked if there were any corrections to the minutes. There were none.
19

20 **MOTION by Sue Cordova, SECONDED by Shane Perreault to approve the Council**
21 **Workshop Special Council and Quasi-Judicial Hearing meeting minutes as written.**
22

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

25 **NAY:** None
26

27 **MOTION PASSED: 5-0**
28

29 **AGENDA REVIEW**
30

31 **Shane Perreault:** Requested that the transmittal for KB Homes be tabled.
32

33 **Sue Cordova:** Agreed with tabling the transmittal.
34

35 **Ed Earl:** Stated that there were more items on the agenda that could be tabled, and
36 proposed that the Council should set the agenda in the future.
37

38 Mayor Yeager, Councilman Earl, and Council Teri agreed to move forward with the
39 transmittal hearing for K B Homes.
40

41 **Ed Earl:** Requested that tab # 2 & tab # 3 be heard together, to combine tab # 11 & tab #
42 12, and asked for Council consensus to send out a Request for Proposal for trash services,
43 thereby removing tab # 9 from the agenda.
44

45 Council agreed.
46
47
48

1 **AUDIENCE TO BE HEARD**

2
3 **Jim Frana (208 Lace Bark Ct.):** Stated that the last workshop held a week earlier had
4 been a waste of time, as nothing was accomplished.

5
6 **Joseph Bombardo (18139 Victorian Dr. [Lake Co.]):** Requested that the traffic light
7 at Washington and US Hwy. 27 be adjusted to allow more time for the traffic to turn onto
8 Washington from Hwy. 27.

9
10 **Tab # 2 Ordinance 2006-25 K B Homes – Comp Plan Amendment Transmittal**

11
12 **Scott Gerken:** Read Ordinance 2006-25 by title only and reminded the Council that the
13 purpose of this hearing was only to transmit the plan to the required state agencies, and
14 was not actually adopting the comprehensive plan amendment.

15
16 **Steve Richey (Attorney for KB Homes):** Explained that per the developer’s agreement,
17 the Council was to transmit the Comprehensive Plan Amendment to the state.

18
19 **Shane Perrault:** Stated that he was not in favor of the development and would not
20 approve the transmittal.

21
22 **Sue Cordova:** Asked when this would be transmitted, requested that the three acres to
23 be turned over to the City to be designated as a cemetery.

24
25 **Peter Brandt:** Explained that this transmittal would be the first of two allowed
26 transmittals for adoption in 2007.

27
28 **Ed Earl:** Asked why the Council did not transmit this item at the last meeting.

29
30 **Shane Perreault:** Stated that it had been the wishes of the Council to have a full Council
31 vote on the transmittal.

32
33 **Mayor Yeager:** Explained that by delaying the transmittal it could delay the
34 construction of the roads to the new school.

35
36 **Mayor Yeager:** Asked for public comments. There were no comments.

37
38 **MOTION by Joe Teri, SECONDED by Ed Earl, to approve Ordinance 2006-25.**

39
40 **Shane Perreault:** Stated that he did not support the transmittal.

41
42 **Ed Earl:** Asked what the consequence would be if the Council denied the transmittal.

43
44 **Scott Gerken:** Explained that the City is obligated to transmit the comprehensive plan
45 amendment per the developer’s agreement and could be sued by the applicant.

46
47 **AYE:** Cordova, Yeager, Earl, Teri

1 NAY: Perreault

2
3 MOTION PASSED: 4-1

4
5 **Tab # 3 & # 4 Hills of Minneola Developer's Agreement and Ordinance 2006-19**
6 **Hills of Minneola Annexation & Rezoning Quasi Judicial Hearing @ 7:20 P.M.**

7
8 Mayor Yeager called a ten minute recess at 10:00 P.M. The meeting reconvened at 10:10
9 P.M.

10
11 **Tab # 5 – Minneola Festival Alcohol Sales**

12
13 **Ed Earl:** Disclosed that he was a member of the Fraternal Order of the Eagles and they
14 had been asked to handle the beer sales at the event.

15
16 **Sue Cordova:** Also stated she was a member of the Eagles and asked to be excused
17 from the vote.

18
19 **Scott Gerken:** Clarified that the Fraternal Order of the Eagles was a non-profit
20 organization and the members would not have any personal gain from the sales, thereby
21 allowing Mr. Earl and Ms. Cordova to vote.

22
23 **MOTION by Shane Perreault, SECONDED by Ed Earl to approve alcohol sales at**
24 **Fall Fest 2006.**

25
26 **AYE:** Perreault, Cordova, Yeager, Earl, Teri

27
28 **NAY:** None

29
30 **MOTION PASSED: 5-0**

31
32 **Tab # 6 Lake County Sheriff's Contract 2006-2007**

33
34 Council discussed the use of the vehicles outside of the City, the number of officers, the
35 request for a motorcycle and officer, and the need for traffic control.

36
37 Mayor Yeager asked for public comment.

38
39 **Pat Murphy (202 E. Osceola):** Stated that the school area needed the officers to
40 monitor the traffic and the speeding school busses.

41
42 **Jim Frana (208 Lace Bark Ct.):** Agreed that a motorcycle officer may be needed in the
43 City in the future but not at this time.

44
45 **Kevin Ocfemia (112 Carlyle St.):** Expressed his opinion that the City does not have
46 enough officers.

1 **Will Strohl (802 Palm Forest Dr.):** Informed the Council that there was a lot of
2 speeding in his neighborhood and urged the Council to have more traffic control officers
3 throughout the City.

4
5 **MOTION by Joe Teri, SECONDED by Sue Cordova to approve the sheriff's**
6 **contract as written.**

7
8 **AYE:** Perreault, Cordova, Teri

9
10 **NAY:** Yeager, Earl

11
12 **MOTION PASSED: 3-2**

13
14 **Tab # 7 Ordinance 2006-32 Irrigation Wells (Discussion only)**

15
16 **Scott Gerken:** Explained that this was for discussion only and that the Ordinance would
17 prohibit private irrigation wells within the City limits.

18
19 **Shane Perreault:** Stated he did not believe the City should dictate whether or not the
20 people have private irrigation wells.

21
22 **Sue Cordova:** Requested that a clause be included that existing wells would be
23 grandfathered, and that if in the event that an enclave was created they would not be
24 required to hook up to the City's water system.

25
26 **Ed Earl:** Stated that he believed this should go to the P & Z Board first.

27
28 **Joe Teri:** Stated he would like to proceed with the Ordinance.

29
30 **Joe Emanuele:** Stated that there should not be a moratorium on wells until the reclaimed
31 water system was in place and operating.

32
33 **Ed Earl:** Asked that the wording in Section 3 regarding common area irrigation uses be
34 clarified.

35
36 Consensus of the Council was to move forward with the advertising of the Ordinance and
37 to have 1st reading at the October 24th meeting.

38
39 **Scott Gerken:** Stated he would revise the Ordinance and bring it back to the Council.

40
41 **Tab # 8 City Manager's Merit Increase**

42
43 **Mayor Yeager:** Asked for Council comments.

44
45 **Sue Cordova:** Requested that Rainy calculate the City Manager's increase as all
46 employees increases are calculated and recommended that amount to be the increase.

47
48 **Ed Earl:** Agreed, that the increase should be the same as all employees.

1 **Joe Teri:** Agreed.

2
3 **Jim Frana (208 Lace Bark Ct.):** Requested that all evaluation forms to be returned on
4 time.

5
6 **MOTION by Sue Cordova, SECONDED by Joe Teri to have Rainy calculate the**
7 **numbers in the same scale as every employee and grant the raise, whatever that**
8 **amount is, based on the score of the evaluation that we all did.**

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

11
12 **NAY:** None

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

15
16 **Tab # 9 Removed from the agenda at Agenda Review**

17
18 **Tab # 10 Lake County School Board Utility Agreements**

19
20 **Scott Gerken:** Explained that the Lake County School Board had requested wastewater
21 service from the City but the board did not want to pay the necessary fees.

22
23 **Marc Walch (PBS&J):** Explained that the 93,000 gallons of capacity for all three
24 school sites (including the high school site) would be 1.4 million dollars.

25
26 **Scott Gerken:** Stated that the Florida statutes state that school districts are not required
27 to pay impact fees for water and wastewater; but that the City's SRF loan prohibited the
28 City from giving away capacity. He explained that the school board was willing to pay
29 for the extension of the lines but were not willing to pay for capacity reservation.

30
31 **Shane Perreault:** Stated that he did not believe the City should charge the school board.

32
33 **Sue Cordova:** Stated that she had spoken with school board staff and was under the
34 impression that they were willing to pay it.

35
36 Consensus of the Council was that the school board should pay the required fees.

37
38 **Pat Murphy (202 E. Osceola St.):** Stated that the school board needed to pay.

39
40 Council directed the City Attorney to contact the school board and inform them that the
41 City's loan prohibits the City from giving free services.

42
43 **Tab # 11 School Concurrency Agreement**

44
45 **Scott Gerken:** Explained that the Council should consider the agreement, and advised
46 that Leesburg and a couple of other cities had several issues with the agreement. He
47 recommended that the Council wait until some of the issues that Leesburg had were
48 resolved.

1 **Ed Earl:** Requested that the definition of “fair share” be clearly defined in the
2 agreement.

3
4 **Joe Teri:** Questioned the co-location and shared use section of the agreement, and stated
5 he did not think that would be a good idea. He stated he was in favor of not approving the
6 agreement now.

7
8 **Sue Cordova:** Agreed with the co-location/shared use sections, and requested that
9 because some Cities still are under a strong Mayor government that the term “Mayor”
10 should be included; and that the concurrency service areas were too large.

11
12 **Ed Earl:** Requested that on pg 18, sec. 5.6, #4 that “same need” should be defined.

13
14 **Scott Gerken:** Explained some of the wording of the document and stated that he would
15 contact some of the other cities and get back to Council.

16
17 Consensus of Council was to discuss the agreement at a workshop of October 17th.

18
19 **Tab # 12 Resolution 2006-20 Schools and New Development**

20
21 **Scott Gerken:** Explained that the purpose of this Resolution was to have something
22 regarding school concurrency on the books prior to the adoption of the County wide
23 agreement. He advised that the Council pass the resolution, and that he would follow up
24 with an Ordinance.

25
26 **MOTION by Sue Cordova, SECONDED by Shane Perreault to approve Resolution**
27 **2006-20.**

28
29 **Ed Earl:** Stated that he saw no purpose in the Resolution because there was no teeth in it
30 and that it should stipulate that school board approval would be necessary.

31
32 **Sue Cordova: AMENDED** her motion to state: *To approve Resolution 2006-20;*
33 *adding or altering the Resolution to state that they must have written notice from the*
34 *Lake County School Board that they have met all mitigation requirements.*

35
36 **Scott Gerken:** Stated he would address those issues in the Ordinance.

37
38 **Sue Cordova:** Withdrew the motion

39
40 Council decided that they would wait for the Ordinance to come back to them.

41
42 No vote was taken.

43
44 **REPORTS:**

45
46 **Bruce Behrens:** Went over his recent schedule and a report from Sarah Whitaker
47 regarding a reuse water plan.

1 **Sue Cordova:** Asked if the closing of Galena Street would need County approval.

2
3 **Bruce Behrens:** Explained that he was uncertain if that were the case, but would contact
4 Jim Stivender and get an update on the closing and bring the information to the Council.

5
6 Council discussed the closing of Galena Street and why the “No Truck Signs” had not
7 been posted at the corner of Grassy Lake & Washington St.

8
9 **Chief Dobrzykowski:** Reported that the open house at the Fire Station was well
10 attended.

11
12 **Lt. Link:** Reported several arrests had been made in regards to a car theft ring, and that
13 the Crime Watch Program was well received.

14
15 **Scott Gerken:** No report

16
17 **Shane Perreault:** Complimented the Sheriff’s Department on their recent arrests.

18
19 **Sue Cordova:** Requested that in the event of a “lock down” at the Minneola Schools,
20 that City Hall would be a place for the parents to meet and be kept informed.

21
22 Council agreed and suggested that Lt. Link meet with Ms. Reaves at Minneola
23 Elementary to discuss the subject.

24
25 **Sue Cordova:** Requested that the City consider funding a study by UCF in regards to
26 public safety in the City.

27
28 **Consensus of the Council was to move forward with the study.**

29
30 **Sue Cordova:** Continued by speaking on the Deland Wastewater Treatment and urged
31 the Council to consider following their expansion plan.

32
33 **Ed Earl:** Requested that the City contact FDOT and asked that the timing of the light at
34 Hwy. 27 & Washington Street be adjusted. He stated that he was in favor of paying a
35 “headhunter” to set up the Building Department.

36
37 **Bruce Behrens:** Explained that staff would be making a recommendation, per Council’s
38 request.

39
40 **Ed Earl:** Stated that he would like to see the Ladd property annexation postponed until
41 the developer comes to the City with a plan for larger lots, and he would like to table the
42 Ladd property to the first meeting in January. He requested that the property to be
43 developed as 2 ½ acre lots.

44
45 **Marc Walch:** Reminded the Council that the City was still waiting on easements from
46 the Ladd’s.

1 *Shane Perreault left the meeting @ 11:30 p.m.*

2
3 Council discussed the property.

4
5 **MOTION by Ed Earl, SECONDED by Joe Teri to table the Ladd annexation and**
6 **rezoning to the first meeting in January.**

7
8 **AYE:** Earl, Teri

9
10 **NAY:** Cordova, Yeager

11
12 **MOTION DIED: 2-2**

13
14 **Joe Teri:** Requested that the City move forward with an impact analysis and feasibility
15 study for the construction of a multi-purpose stadium within the Hills of Minneola
16 property.

17
18 **Mayor Yeager:** Stated that the developer should pay for the study.

19
20 Council discussed who should be responsible for and pay for the study.

21
22 Consensus of the Council was for Mr. Behrens to contact the Hills of Minneola developer
23 and request that they fund a study for a multi-purpose stadium and that no city funds
24 would be used for the study.

25
26 The meeting adjourned at 11:40 P.M.

27
28 _____
Mayor David Yeager

29
30 ATTEST:

31
32 _____
33 Jan McDaniel, CMC