

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

Jan. 10, 2007
7:00 P.M.

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

11
12 A moment of silence was observed and the Pledge of Allegiance was spoken.
13

14 **APPROVAL OF MINUTES**

15
16 Council Workshop Dec. 05, 2006 @ 7:00 P.M.
17 City Council Meeting Dec. 12, 2006 @ 7:00 P.M.
18 Quasi-Judicial Hearing Dec. 12, 2006 @ 8:36 P.M.
19

20 **Sue Cordova:** Regular Council Meeting pg 3 of 6 line # 3 change Ordinance to read
21 2006-38.
22

23 **Ed Earl:** Regular Council Meeting pg 5 of 6 line 39 to change when to before.
24

25 **MOTION by Sue Cordova, SECONDED by Ed Earl to approve the minutes as**
26 **amended.**

27
28 **AYE:** Perreault, Cordova, Yeager, Earl, Teri
29

30 **NAY:** None
31

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

34 **AGENDA REVIEW**

35
36 **Joe Teri:** Requested that Ordinance 2007-04 be tabled until after the meeting with
37 school board representatives.
38

39 Council consensus was to move forward with the first reading of the Ordinance at this
40 meeting.
41

42 **Scott Gerken:** Stated that Ordinance 2006-32 would be pulled from the agenda, and
43 explained that if the annexation & rezoning of the Ladd property occurred, the Ordinance
44 would be addressed at that time.
45

46 Council agreed to table the Ordinance until the 2nd transmittal of the year.
47
48
49

1 **AUDIENCE TO BE HEARD**

2
3 **Wally Szkwarko (802 Main Ave.):** Thanked the Mayor for attending the Clermont
4 Council meeting the previous night, and speaking against the proposed marina on Lake
5 Minneola. He also requested that the Council and other speakers move closer to the
6 mikes when speaking as it was hard to hear them at times.

7
8 **Tab # 2 AAA Storage Final Plat – Quasi-Judicial Hearing @ 7:11 P.M.**

9
10 **Tab # 3 Ordinance 2006-40 – Mixed Use Comp Plan Amendment**

11
12 **Scott Gerken:** Read Ordinance 2006-40 by title only for the first time.

13
14 **Sue Cordova:** Requested that 3 units per acre be the net amount, instead of gross.

15
16 **Ed Earl:** Requested that there be three categories in Sec. 2, Mixed Use Development.

17
18 Council discussed changing the document categories as 1) General Commercial, Office,
19 Industrial, Institutional, 2) Residential, Multi Family, Recreation and Conservation.

20
21 **Steve Richey (Atty. for the Hills of Minneola):** Explained that the suggested changes
22 were not consistent with the Hills of Minneola Developers Agreement.

23
24 **Rob Kelley (no address given):** Explained that he was a member of the Lake County
25 Local Planning Board, and informed the Council of County Comp Plan language stated
26 net density and spoke on mixed use categories.

27
28 **Randall Baker (Orlando):** Expressed his concerns for the conservation of the area and
29 questioned the zoning classification of the Hills of Minneola.

30
31 **Scott Gerken:** Reminded the Council that the City had previously agreed to
32 reclassification of uses.

33
34 **MOTION by Shane Perreault, SECONDED by Sue Cordova to approve Ordinance**
35 **2006-40 with two changes both in Sec. 2 – Policy 1-2.10.1 to reference Ms. Cordova’s**
36 **request to implement net usable acreage not the total site, and in reference to Mr.**
37 **Earl’s concern, to incorporate into two land uses.**

38
39 **Sue Cordova:** Requested that the line referencing 90% maximum Impervious Surface
40 area be stricken, and categorize under Mixed Use Development, and add, after net
41 acreage, excluding Developers Agreement approved prior to Jan. 10, 2007.

42
43 **Shane Perreault amended his motion to delete the sentence referring to 90%**
44 **maximum impervious surface.**

45
46 **Sue Cordova SECONDED the amended motion.**

47
48 **Ed Earl:** Clarified that at least one use be include from each of the two categories to be
49 Mixed Use Development.

1 **Bruce Behrens:** Cautioned the Council not to pass an Ordinance that would conflict
2 with a signed Developer Agreement.

3
4 **AYE:** Perreault, Cordova

5
6 **NAY:** Yeager, Earl, Teri

7
8 **MOTION FAILED: 2-3**

9
10 **MOTION by Joe Teri, SECONDED by Ed Earl to approve Ordinance 2006-40**
11 **removing the 90% maximum impervious surface area, and making the**
12 **recommended changes by Ms. Cordova and Mr. Earl regarding changing the Mixed**
13 **Use designations into two categories and requiring that at least one use is taken**
14 **from each category to constitute Mixed Use.**

15
16 Council continued to discuss the changes.

17
18 **Bruce Behrens:** Suggested that the Council pass the Ordinance with the last motion and
19 schedule a workshop to go through other possible changes.

20
21 **AYE:** Yeager, Earl, Teri

22
23 **NAY:** Perreault, Cordova

24
25 **MOTION PASSED: 3-2**

26
27 **Tab # 4 DRI Application for Development Order**

28
29 **Scott Gerken:** Explained that a public hearing was held at the Dec. 12th meeting, where
30 the Council had requested changes to the document and that he had added a paragraph
31 stating that any City approved regulations that were more stringent than stated in the
32 order would be required.

33
34 Council requested that Ordinance 2006-23 be considered at the same time as the DRI
35 application.

36
37 **Scott Gerken:** Read Ordinance 2006-23 by title only for the 2nd time.

38
39 **Sue Cordova:** Questioned if all of the objections from the state had been addressed and
40 requested that the item(s) be tabled until after a workshop could be held.

41
42 **Peter Brandt:** Explained that all questions were addressed in the Comprehensive Plan
43 Amendment for the Hills (Exhibit A), which was provided for Council in the blue binder

44
45 **Steve Richey (Atty. for the Hills of Minneola):** Stated that he would answer Council's
46 questions.

1 **John Percy (Glating – Jackson):** Explained the Habitat Management Plan
2 responsibility would be on the Home Owner’s Association and how the HMP would
3 work.

4
5 A general questions and answer session occurred.

6
7 A break was called at 8:28 p.m.; the meeting resumed at 8:42 p.m.

8
9 **Mayor Yeager:** Asked for public comment.

10
11 **Randall Baker (Orlando):** Requested that the Council consider the preservation of all
12 wildlife on the property.

13
14 **Sue Cordova:** Assured Mr. Baker that the wildlife was being protected.

15
16 **Scott Gerken:** Explained the density issue between gross & net.

17
18 **MOTION by Joe Teri, SECONDED by Ed Earl to approve the Hills of Minneola**
19 **Development Order.**

20
21 **AYE:** Yeager, Earl, Teri

22
23 **NAY:** Perreault, Cordova

24
25 **MOTION PASSED: 3-2**

26
27 **MOTION by Shane Perreault, SECONDED by Sue Cordova to deny Ordinance**
28 **2006-23.**

29
30 **Ed Earl:** Stated that is was not proper to make a motion to deny.

31
32 **Joe Teri:** Agreed

33
34 **AYE:** Perreault, Cordova

35
36 **NAY:** Yeager, Earl, Teri

37
38 **MOTION FAILED: 2-3**

39
40 **MOTION by Sue Cordova, SECONDED by Shane Perreault to table Ordinance**
41 **2006-23 pending a workshop.**

42
43 **AYE:** Perreault, Cordova

44
45 **NAY:** Yeager, Earl, Teri

46
47 **MOTION FAILED: 2-3**

48
49 **MOTION by Joe Teri, SECONDED by Ed Earl, to approve Ordinance 2006-23.**

1 **AYE:** Yeager, Earl, Teri

2

3 **NAY:** Perreault, Cordova

4

5 **MOTION PASSED: 3-2**

6

7 **Tab # 6 Ordinance 2006-01 Ladd/Lowndes Annexation & Rezoning Quasi-Judicial**
8 **Hearing @ 8:55 P.M.**

9

10 **Tab # 7 Pulled from the Agenda**

11

12 **Tab # 8 Ordinance 2007-03 Council Compensation**

13

14 **Scott Gerken:** Read Ordinance 2007-03 by title only, for the first time.

15

16 **Shane Perreault:** Requested that the Council salary be raised to \$1,000.00

17

18 **Sue Cordova:** Stated she was against a raise.

19

20 **Ed Earl:** Asked for Council consensus to add health benefits for the Council Members,
21 at their own expense.

22

23 **Scott Gerken:** Stated that would be a separate issue.

24

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

26

27 *First reading, no action taken.*

28

29 **Tab # 8 Ordinance 2007-04 Minneola School Concurrency**

30

31 **Scott Gerken:** Read Ordinance 2007-04 by title only, for the first time. He explained the
32 purpose of this Ordinance was to adopt interim concurrency until the County concurrency
33 goes into effect in 2008.

34

35 **Sue Cordova:** Requested that under C (i) the wording be clarified.

36

37 **Ed Earl:** Requested that the first whereas be changed from the city being responsible for
38 education to the City supports education, and questioned the proportionate share section.

39

40 **Scott Gerken:** Stated that proportionate share is actually in the statute.

41

42 **Joe Teri:** Stated that section 2 references the school board and that he had been in favor
43 of tabling the Ordinance.

44

45 **Scott Gerken:** Explained that although the City was not in complete agreement with the
46 County wide agreement, that the City did acknowledge that agreement.

47

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

49

1 **Joe Emanuele (100 E. Chester St.):** Stated that the P & Z Board had recommended that
2 there is an expiration date on the agreement, and that the agreement be revisited if
3 concurrency does not come to fruition in 2008.

4
5 *First Reading, no action taken.*

6
7 **Tab # 10 Ordinance 2007-05 Council Conduct & Forfeiture of Office**

8
9 **Scott Gerken:** Read Ordinance 2007-05 by title only for the first time.

10 Council had no comments.

11
12
13 **Mayor Yeager:** Asked for public comments. There were no comments.

14
15 **Tab # 11 Resolution 2007-01 Establishing new meeting day.**

16
17 **Scott Gerken:** Read Resolution 2007-01 by title only.

18
19 **Shane Perreault:** Stated he believed that Council had agreed to Wednesdays, but
20 preferred to keep the meetings on Tuesday's.

21
22 **Mayor Yeager:** Suggested the 1st & 3rd Tuesday's as meeting nights.

23
24 **Sue Cordova:** Explained that she had a conflict of meetings on Wednesday's.

25
26 **Ed Earl:** Stated he preferred Wednesday's.

27
28 **Joe Teri:** Stated he preferred Wednesday's.

29
30 Council members discussed workshop dates.

31
32 **MOTION by Sue Cordova, SECONDED by Shane Perreault to approve Resolution**
33 **2007-01 change the Council meetings on the first and third Tuesday's of the month**
34 **beginning in February.**

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

37
38 **NAY:** None

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

41
42 **Tab # 12 Sheriff's Contract Addendum**

43
44 **Scott Gerken:** Explained that the addendum added a clerk position and the purchase of a
45 motorcycle.

46
47 **Sue Cordova:** Stated that she wanted to ensure that the clerk's hours would be during
48 regular working hours, 8 – 5.

1 **MOTION by Shane Perreault, SECONDED by Sue Cordova, to approve the**
2 **contract addendum with the changes being made pertaining to the hours and days**
3 **of the clerk and that the motorcycle would be City property.**

4
5 **AYE:** Perreault, Cordova, Yeager, Teri

6
7 **NAY:** Earl

8
9 **Tab # 13 RFP for Waste Disposal Services**

10
11 **Scott Gerken:** Explained that this was the request for proposals for the waste disposal
12 services.

13
14 **Sue Cordova:** Requested the following changes;

- 15 • Pg 14 -Beginning pick up time be changed from 6:00 a.m. to 7:00 a.m.
- 16 • Pg.15 - Handicap exception pickup should not need a doctor's authorization, and
17 if on social security disability they would have side yard pickup.
- 18 • Pg.16 – 2 (a) Change vegetation pickup to Monday or Wednesday
- 19 • Pg.18 – Commercial pickup time should be 7:00 a.m. – 7:00 p.m.
- 20 • Pg.27 – Stipulate that FEMA rates, if lower, can be used for the first 72 Hours of
21 available access
- 22 • Pg.34 - Add no convicted sex offenders employed

23
24 There were no further comments.

25
26 **REPORTS:**

27
28 **Bruce Behrens:** Explained that he had distributed his report, a letter regarding Sullivan
29 Road, a memo from Marc Walch regarding utility easement, and for informational
30 purposes a memo from Linda Crane (All listed as Exhibit B) on an investment policy
31 which will be coming to Council on Jan. 24th.

32
33 **Sue Cordova:** Stated she did not want to change the city investments and did not want
34 to see it on the next agenda.

35
36 **Ed Earl:** Asked what the meeting with Mr. Karst was about.

37
38 **Bruce Behrens:** Reported that Mr. Karst had requested a meeting to discuss annexation
39 of some property that currently has a billboard on it.

40
41 **Joe Teri:** Asked when the stop signs on Bloxam would be installed.

42
43 **Bruce Behrens:** Stated he would remind Mark Odell about the stop signs.

44
45 **Mayor Yeager:** Asked when the stormwater issue on Osceola Cr would be addressed.

46
47 **Chief Dobrzykowski:** Reported that Santa on the fire truck had been well received, and
48 that he would be looking into updating the radio systems, to meet the County's updates.

1 **Lt. Link:** Stated that all positions on the Minneola Dept. are now filled, and that Deputy
2 Lukens, a Minneola deputy was named Lake County Deputy of the Year.

3
4 **Shane Perreault:** Requested that Lt. Link address the speeding and parking around
5 Minneola Elementary.

6
7 **Sue Cordova:** Stated that school bus drivers should be ticketed if speeding, and asked
8 Lt. Link to check speeding on Grassy Lake Road.

9
10 **Mayor Yeager:** Stated he believed the motor officer would be an asset to the City.

11
12 **Scott Gerken:** Asked for clarification on the P & Z Board raise from \$20.00 a meeting
13 to \$50.00 per meeting that the Council agreed to at the last meeting, and that an
14 Ordinance would be required.

15
16 **Bruce Behrens:** Stated that consensus for Council (3-2) to raise the compensation.

17
18 **Sue Cordova:** Stated she believed the P & Z members should be paid only for meetings
19 they attend.

20
21 **Scott Gerken:** Stated he would bring back an ordinance for the P & Z Board
22 compensation increase.

23
24 **Shane Perreault:** Requested an additional podium, or a wider podium, to allow for two
25 speakers, requested that windows be place in the outside door, or side windows of the
26 door at the sheriff's office to allow vision from outside, mainly to see if an officer is in
27 there. Informed the Council that there were more annexation requests coming, and
28 believed the Council was too pro-development.

29
30 **Sue Cordova:** Asked who the Council should respond to regarding a joint meeting with
31 the County, asked that the City put out a flyer to inform the senior citizens of the
32 additional tax exemption available to them, and requested that Main Street remain closed.

33
34 **Bruce Behrens:** Explained that Rainy Sommers was working on setting the joint
35 meeting date, and that he would take care of the tax exemption flyer.

36
37 Council discussed Main Street and to work on a conceptional plan for Main Street.
38 Council consensus was to keep the deceleration lane on Main Street closed at least until
39 the Hwy 27 construction is complete.

40
41 **Sue Cordova:** Reported that the "No Truck" signs from Oakland, Bloxam, and Baker
42 Street are gone, and would like them replaced; stated that the City should look further
43 into purchasing property on Chester Street for a stormwater area; informed the Council
44 that the South West Water Management may be involved with the water management for
45 south Lake County, and that the Lake County Water Authority would be holding a
46 workshop in February on Feb. 14th at 5:30; and expressed her concern with the Florida
47 Symphony using the building and having free run of the entire building with no city
48 employee present, and that they should pay for the use of the building. She stated that

1 City taxpayer's money was being used for these functions, and she was against the use of
2 the building without paying the applicable fees.

3
4 **Mayor Yeager:** Agreed that they should pay for the use of the building, setup,
5 technicians, and maintenance. He stated that he informed the symphony that the City
6 would no longer store their stages, and that they needed to pay for an IT person and for
7 maintenance. He stated that the risers were now the property of the City and the
8 symphony would be paying for their use.

9
10 Council consensus was that the symphony would fill out the appropriate applications for
11 use of the building and pay the fees for building rental, setup, technicians and
12 maintenance effective immediately.

13
14 **Ed Earl:** Requested that the latest FDOT Newsletter be posted on the website, requested
15 that the website be kept up to date and suggested that a local high school could design a
16 new website for the City, asked when the Park impact fee study would be complete,
17 asked that an Ordinance be drafted to clarify the personnel policy, and to fix drainage
18 problems in the City prior to purchasing new property.

19
20 **Joe Teri:** Stated that he would like the symphony to continue holding concerts in
21 Minneola and that they should pay all applicable fees.

22
23 **Mayor Yeager:** Stated that all offices are off limits to all outside use, stated that an
24 independent appraisal be done on the property for sale on Chester Street, and asked for
25 Council consensus to move forward and bring a contract back for Council consideration.

26
27 **Joe Teri:** Stated he did not agree with spending a half million dollars for another passive
28 park.

29
30 Council discussed the possible use of the property.

31
32 The meeting adjourned at 11:32 P.M.

33 _____
34 Mayor David Yeager

35
36
37 ATTEST:

38 _____
39 Jan McDaniel, CMC
40