

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

January 22, 2008
7:00 P.M.

4
5 The City of Minneola Council Meeting was called to order by Mayor David Yeager.
6 Present were: Councilman Pat Kelley, Vice Mayor Ed Earl, Councilman Joseph Teri,
7 Scott Gerken (City Attorney), Jan McDaniel (Acting City Manager/City Clerk), Lt. Greg
8 Link (LCSO), Fire Chief Dobrzykowski and Peter Brandt (GCG). Sue Cordova was
9 excused.

10
11 A moment of silence was observed and the Pledge of Allegiance was lead by Vice Mayor
12 Ed Earl.

13
14 **PRESENTATION**

15
16 **Sheriff Borders (Lake County Sheriff):** Presented Deputy Bud Hart with the 2007
17 Minneola Officer of the Year Award.

18
19 **AGENDA REVIEW**

20
21 **Ed Earl:** Requested that Tab 6 be moved up behind Audience to be heard.

22
23 **AUDIENCE TO BE HEARD:**

24
25 **Callahan Ink:** Asked for approval for the grand opening on February 23 from 11 p.m.
26 until 6:00 p.m.

27
28 **Peter Brandt:** Suggested that the request for a special event permit be made at the next
29 council meeting.

30
31 *Consensus was reached by all council for Callahan Ink to be placed on the next Regular*
32 *Council Meeting Agenda.*

33
34 **Tab # 1 APPROVAL OF MINUTES:**

35
36 **MOTION by Pat Kelley, SECONDED by Joseph Teri to approve the January 8, 2008**
37 **Council Minutes and the Council Workshop Minutes from January 15, 2008 as written.**

38
39 **AYE: Kelley, Yeager, Earl, Teri**

40
41 **NAY: None**

42
43 **MOTION PASSED: 4-0**

44
45 **Tab # 2 – Resolution 2008-01 – Florida League Request for Legislative Support**

46
47 **Scott Gerken:** Read Resolution 2008-01 for the second time.

1 **Ed Earl:** Stated he was not in favor of the Resolution because it opposed a cap on taxes.

2
3 *Mayor Yeager asked for audience comments; there were none.*

4
5 **MOTION by Pat Kelley, SECONDED by Joseph Teri to approve Resolution 2008-**
6 **01 as written.**

7
8 **AYE: Kelley, Yeager, Teri**

9
10 **NAY: Earl**

11
12 **MOTION PASSED: 3-1**

13
14 **Tab # 3 – Ordinance 2008-08 – Garage Sale Amendment**

15
16 **Scott Gerken:** Read Ordinance 2008-08 for the first time.

17
18 **Ramon Flores:** Stated that section 54-1-12, right of entry for code enforcement officers,
19 should be removed. Also, recommended a special permit, once a year, be allowed for
20 homeowners associations for community sales instead of each individual home having to
21 pay a separate fee.

22
23 **Mayor Yeager:** Recommended the HOA fee be set at \$25.00 for a community sale just
24 once a year and \$3.00 for each homeowner.

25
26 *Mayor Yeager asked for audience comments; there were none.*

27
28 *First reading, no action taken.*

29
30 **Tab 9 – Preliminary Plat Unit 2B Revision**

31
32 **Peter Brandt:** Explained the revision request.

33
34 *Mayor Yeager asked for audience comments; there were none.*

35
36 **MOTION by Pat Kelley, SECONDED by Joseph Teri, to approve the Preliminary Plat**
37 **Unit 2B Revision for Sugarloaf Mountain as written.**

38
39 **AYE: Kelley, Yeager, Earl, Teri**

40
41 **NAY: None**

42
43 **MOTION PASSED: 4-0**

44
45 **DISCUSSION ITEMS**

1 **Tab 10 – Apshawa Pioneer Agreement Amendment**

2
3 **Peter Brandt:** Explained the amendment.

4
5 *Mayor Yeager asked for audience comments; there were none.*

6
7 **MOTION by Pat Kelley, SECONDED by Joseph Teri, to approve the Apshawa Pioneer**
8 **Agreement Amendment as written.**

9
10 **AYE: Kelley, Yeager, Earl, Teri**

11
12 **NAY: None**

13
14 **MOTION PASSED: 4-0**

15
16 **Tab 11 – City Manager Contract**

17
18 **Scott Gerken:** Explained the changes made to the contract.

19
20 **Ed Earl:** Asked for more clarification of cause for termination and for removal of the
21 1% bonus in salary.

22
23 **Joseph Teri:** Asked that council have the ability to retract approval for outside
24 consulting.

25
26 **Scott Gerken:** Requested that wording in section 13 be changed from “primary” to
27 “sole” and under section 9 under severance strike the word “material” and clarify there
28 would be no severance if terminated.

29
30 **Ed Earl:** Stated that the City Manager should not have the ability to enter into long term
31 contracts.

32
33 *General discussion took place regarding the changes.*

34
35 *Mayor Yeager asked for audience comments.*

36
37 **Wally Szkwarko (802 Main Ave.):** Commented on the use of City facilities for
38 consulting work.

39
40 **Ed Earl:** Clarified his disapproval of allowing outside consulting work at all.

41
42 **MOTION by Pat Kelley, SECONDED by Joseph Teri, to approve the City Manager**
43 **Contract as amended with the following corrections, no severance will be paid if terminated**
44 **with cause or resignation; Section 13 change word “primary” to “sole”; cannot contract for**
45 **any consulting work without council approval, especially long term; add the conditional**
46 **right to withdraw approval for consulting work.**
47

1 **AYE: Kelley, Yeager, Teri**

2
3 **NAY: Earl**

4
5 **MOTION PASSED: 3-1**

6
7 **Tab 12 – City Attorney RFP**

8
9 **Ed Earl:** Explained that we were fiscally responsible to check what other attorneys
10 charge for City services and he was not overly satisfied with Scott's performance.

11
12 **Mayor Yeager:** Stated that Scott Gerken had done a good job for the City and that cost
13 savings could come from the City Manager and staff completing the ordinances and
14 resolutions then sending the final draft to the attorney for approval.

15
16 *Mayor Yeager asked for audience comments.*

17
18 **Wally Szkwarko (802 Main Ave.):** Stated that as a resident he believed Mr. Gerken was
19 worth the money we were paying and with his appearance, professionalism and
20 knowledge of the City had done a great job. He added that it would be a great loss if
21 Scott were to go.

22
23 **Pat Kelley:** Suggested that the City Manager network with other Cities to get the
24 necessary information about current fees being charged and added that sending an RFP
25 out to bid would show little confidence in Scott and the job he had done.

26
27 **Scott Gerken:** Reviewed the breaks in fees that Minneola had received with his firm and
28 that he would be happy to continue to provide legal service to the City and work with the
29 Council.

30
31 **MOTION by Pat Kelley, SECONDED by Joseph Teri, not to send out the RFP for a new**
32 **City Attorney.**

33
34 **AYE: Kelley, Yeager, Teri**

35
36 **NAY: Earl**

37
38 **MOTION PASSED: 3-1**

39
40 **Tab 13 – Library Name**

41
42 *General discussion took place about the possible names.*

43
44 *Mayor Yeager asked for audience comments; there were none.*

45
46 **Joseph Teri:** Suggested the name "Minneola Historical Library".

1 *Consensus was reached to allow Mary Jane Lange to bring a final choice back to council*
2 *for approval.*

3
4 **Tab 14 – Cemetery Proposals**

5
6 **Ed Earl:** Stated that money would be better spent on properly marking and taking care of
7 the graves.

8
9 **Mayor Yeager:** Stated a multitude of things needed to be addressed at the cemetery and
10 constructing a fence would define the space and give us a starting point.

11
12 *Mayor Yeager asked for audience comments.*

13
14 **Mr. Warren (address unspoken):** Suggested that the City look at the historical value
15 and take care of the cemetery in a respectful way, some of his family was buried there
16 and he would be someday also.

17
18 **Wally Szkwarko (802 Main Ave.):** Thanked Ed Earl for watching over the city's
19 finances. He suggested that both a fence and some type of survey be completed for the
20 care of the grave sites. He also asked that the discussion be tabled until the return of Ms.
21 Cordova.

22
23 **Mayor Yeager:** Expressed that from now on there should be a budget line item to make
24 these enhancements and do perpetual care out of respect and historical value but we
25 needed to start by defining the space.

26
27 **MOTION by Pat Kelley, SECONDED by Joseph Teri, to approve the \$37,800 bid for**
28 **fencing the Cemetery.**

29
30 **Joseph Teri:** Stated that the audience comments were important in his decision.

31
32 **AYE: Kelley, Yeager, Teri**

33
34 **NAY: Earl**

35
36 **MOTION PASSED: 3-1**

37
38 **REPORTS:**

39
40 **Chief Dobrzykowski:** Hired an administrative assistant working 20 hours a week and
41 was working out well.

42
43 **Scott Gerken:** Stated that the Hills had given the school board 60 acres to build a new
44 school and he would send a letter stating the City had no objections and remind them they
45 were required to consult with us on the details of the project.

46
47 **Joseph Teri:** Added that there should be joint usage for a magnet school there.

1 **Scott Gerken:** Stated that City was withholding payment to GWP until the performance
2 bond was completed and we would continue to maintain a sufficient retainage from them.

3
4 **MOTION by Ed Earl, SECONDED by Joseph Teri, to excuse Sue Cordova.**

5
6 **AYE: Kelley, Yeager, Earl, Teri**

7
8 **NAY: None**

9
10 **MOTION PASSED: 4-0**

11
12 **Ed Earl:** Inquired about a hump in the road running north to south on Hwy 27 at
13 Washington. Also, asked about the garbage contract and additional compensation for
14 Ramon Flores for working IT and Code Enforcement.

15
16 **Jan McDaniel:** Responded that FDOT was aware of the hump and would address the
17 issue. Added that an amendment to the garbage contract would be completed soon and
18 Ramon's salary had already been adjusted.

19
20 **Joseph Teri:** Asked the City Manager to obtain quotes for the completion of a pier at
21 Silverton Beach with a covered area and a place to dock the Fire Department's
22 emergency vehicles. Also, inquired about the selling of planks to recoup some of the
23 costs.

24
25 **Scott Gerken:** Advised that he had not received any response from Ms. Vessels or her
26 attorney.

27
28 **Mayor Yeager:** Stated that the bones found at the cemetery were returned and there
29 would be a memorial to rebury them properly. Added that in the charter the Mayor was
30 required to do a State of the City Address and he would be completing that requirement at
31 6 p.m. on February 5 prior to the next council meeting.

32
33 **Pat Kelley:** Advised that BPAC would like to participate in a dedication for the new bike
34 lane on Highway 27.

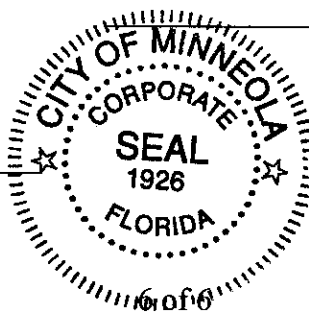
35
36 **MOTION by Ed Earl, SECONDED by Joseph Teri to adjourn.**

37
38 *The meeting adjourned at 10:12 p.m.*

39
40
41
42 **ATTEST:**

43
44 *Jan McDaniel*
45 Jan McDaniel, CMC

46 mz



David Yeager

Mayor David Yeager