

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

February 19, 2008
7:00 P.M.

5 The City of Minneola Council Meeting was called to order by Mayor David Yeager.
6 Present were: Mayor Yeager, Vice Mayor Ed Earl, Councilman Joseph Teri, Scott
7 Gerken (City Attorney), Jan McDaniel (City Clerk/Acting City Manager), Fire Chief
8 Dobrzykowski, and Lt. Link. Councilwoman Cordova arrived at 7:09 p.m. Councilman
9 Kelley was not present.

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

13
14 **AGENDA REVIEW**

15
16 *No changes were reported.*
17

18 **PRESENTATIONS:**

19
20 **Kate Brady (HNTB):** Updated council on the PD&E Study for the Minneola Collector
21 Road project as a preface to the meeting on February 28th @ 6:00 p.m.
22

23 *Mayor Yeager asked for audience comments; there were none.*
24

25 **AUDIENCE TO BE HEARD:**

26
27 **Carlos Solis (Sign Crafters):** Requested a change in the ordinances to allow for
28 advertising structures on the Florida Turnpike.
29

30 **Tab # 3 – Ordinance 2008-07 – Amending Ch. 46-7 – Recreational Ramps**

31
32 **Scott Gerken:** Read Ordinance 2008-07 for the second time.
33

34 *Councilwoman Sue Cordova arrived at 7:09 p.m.*
35

36 *Mayor Yeager asked for audience comments; there were none.*
37

38 **MOTION by Joseph Teri, SECONDED by Ed Earl to approve Ordinance 2008-07 as**
39 **written.**

40
41 **AYE:** Cordova, Yeager, Earl, Teri

42
43 **NAY:** None
44

45 **MOTION PASSED: 4-0**
46

1 **Tab # 2 – APPROVAL OF MINUTES**

2
3 **Ed Earl:** Requested the Regular Council minutes from February 5 to state on pg. 6 lines
4 17-19 that Minneola businesses be listed first in the rotating order. Also requested on the
5 January 22 Regular Council minutes, page 6, lines 27-28 (relating to consensus on getting
6 quotes for a pier) be deleted.

7
8 **MOTION by Ed Earl, SECONDED by Sue Cordova to approve all minutes listed on the**
9 **agenda with the noted corrections.**

10
11 **AYE:** Cordova, Yeager, Earl, Teri

12
13 **NAY:** None

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

16
17 *Mayor Yeager stated that Mr. Kelley was in Tallahassee and would not be in attendance.*

18
19 **Tab # 4 – Site Plan Approval – Advance Auto Parts**

20
21 **Mayor Yeager:** Stated lighting was a big issue and the truck deliveries in the early
22 morning hours are a concern. He stated that nothing should be stored outside.

23
24 **Ed Earl:** Site should have buffering between the business and the homes.

25
26 **Joseph Teri:** Agreed that lighting was a big issue and inquired about the vegetation to
27 be used to buffer, the visual buffer needed to be enhanced.

28
29 **MOTION by Sue Cordova, SECONDED by Ed Earl to approve the Site Plan for Advanced**
30 **Auto Parts with the following conditions; additional buffering in the rear of the property,**
31 **use of non-reflective lighting that would not disturb neighboring homes and there were be**
32 **no outside storage of any kind, especially hazardous materials.**

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

35
36 **NAY:** None

37
38 **MOTION PASSED: 4-0**

39
40 **Tab # 5 – Ordinance 2007-39 – Annexation of Wastewater Plant Site**

41
42 **Scott Gerken:** Read Ordinance 2007-39 for the second time.

43
44 **Ed Earl:** Expressed that this should have gone back to DRC.

45
46 **Scott Gerken:** Stated that all procedures were handled and processed properly.

47

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

2

3 **MOTION by Sue Cordova, SECONDED by Joseph Teri to approve Ordinance 2007-39 as**
4 **written.**

5

6 **AYE:** Cordova, Yeager, Teri

7

8 **NAY:** Earl

9

10 **MOTION PASSED: 3-1**

11

12 **Tab # 6 – Ordinance 2008-01 – 107 N. Main Ave. Rezoning**

13

14 **Scott Gerken:** Read Ordinance 2008-07 for the first time.

15

16 **Ed Earl:** Expressed that on pg. 8, DRC had not provided written recommendations to
17 P&Z or to the council. Added, the revised copy had not even gone to DRC for review.

18

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

20

21 **Sue Niswonder:** Explained that the City Attorney and Planner were the only ones to
22 review annexations and there were no written reports.

23

24 *No action taken, first reading.*

25

26 **Tab # 7 – Ordinance 2008-02 – SSCPA 107 N. Main Ave.**

27

28 **Scott Gerken:** Read Ordinance 2008-02 for the first time.

29

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

31

32 *No action taken, first reading.*

33

34 **Tab # 8 – Ordinance 2008-03 – 100 S. Main Ave. Rezoning**

35

36 **Scott Gerken:** Read Ordinance 2008-03 for the first time.

37

38 **Ed Earl:** Stated that this had the same problem, no DRC recommendations were listed.

39

40 **Joseph Teri:** Agreed with Mr. Earl.

41

42 **Mayor Yeager:** Stated that we needed to change our procedures so we do not continue
43 to run into this problem in the future.

44

45 **Scott Gerken:** Stated that he would talk with DRC and make adjustments so that
46 comments would be included.

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

2

3 *No action taken, first reading.*

4

5 **Tab # 9 – Ordinance 2008-04 – SSCPA 100 S. Main Ave.**

6

7 **Scott Gerken:** Read Ordinance 2008-04 for the first time.

8

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

10

11 *No action taken, first reading.*

12

13 **Tab # 10 – Ordinance 2008-09 – Radio Tower**

14

15 **Scott Gerken:** Read Ordinance 2008-09 for the first time.

16

17 **Sue Cordova:** Asked that the section regarding the possible move of equipment be
18 clarified to include items such as dishes, not the tower itself. She added that the section
19 regarding a manned security gate be removed.

20

21 **Greg Holcomb (Lake County Public Communications Director):** Answered that the
22 area would be fully self contained with fencing, card readers and security cameras at their
23 expense and they would provide the city with an access card. He added the City would be
24 notified of any work to be preformed.

25

26 **Sue Cordova:** Suggested that the term be reduced to 6 months written notice of
27 termination by either party.

28

29 **Greg Holcomb (Lake County Public Communications Director):** Stated his objection
30 to that change in terms.

31

32 **Ed Earl:** Stated that the tower should be built toward the City standards in the
33 telecommunication code, Chapter 130.

34

35 **Joseph Teri:** Asked that all Mark Odell's comments be incorporated into the plan.

36

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

38

39 *No action taken, first reading.*

40

41 **Tab # 11 – Approval of Stipulated Settlement Agreement with DCA**

42

43 **Scott Gerken:** Explained that if DCA found our Comp Plan Amendment in compliance,
44 the next step would be to adopt the language that they approve.

45

46 *General discussion took place regarding the document.*

47

1 **Sue Cordova:** Stated that our procedures were not followed.
2
3 **Scott Gerken:** Stated that we were beyond our Comp Plan Amendment procedures and we were
4 into the State Statutory Administrative Hearing Settlement procedures.
5
6 **Sue Cordova:** Asked how much time had been spent on this and how much had been reimbursed.
7 She stated her dissatisfaction with the entire process and Senator Baker's involvement.
8
9 **Ed Earl:** Stated his concern over Roadway requirements and the proposed extension of Turkey
10 Farm Road from Old Highway 50 to South Grassy Lake Road. He questioned and received
11 clarification that developers were responsible for improvements for roadways, water and sewer.
12
13 **Joseph Teri:** Agreed that the roadway sections were incorrect.
14
15 *Mayor Yeager asked for audience comments; there were none.*
16
17 **MOTION by Ed Earl, SECONDED by Joseph Teri to approve the DCA/City of Minneola**
18 **Stipulated Settlement Agreement with one correction, change the roadway names to reflect**
19 **the appropriate names in Exhibit B.**
20
21 **Mayor Yeager:** Stated that he understood Peter Brandt's frustration with DCA because it was
22 far from user friendly. He stated he had no problem with Senator Baker stepping in to aid us.
23
24 **Sue Cordova:** Stated again her disapproval of Senator Baker's involvement and the lack of
25 information regarding how much of our tax payers dollars were spent on this issue and how much
26 was billed out to recapture that money back. She stated that growth should be paying for itself.
27
28 **Mayor Yeager:** Requested a meeting with Jan McDaniel to clarify the amount of money
29 involved.
30
31 **AYE:** Yeager, Earl, Teri
32
33 **NAY:** Cordova
34
35 **MOTION PASSED: 3-1**
36
37 **Tab # 12 – Ordinance 2008-10 – Comp Plan Amendment – Hills of Minneola**
38
39 **Scott Gerken:** Read Ordinance 2008-10 for the first time and explained that the
40 stipulated settlement agreement required us to pass this ordinance to bring our comp plan
41 into compliance.
42
43 **Sue Cordova:** Clarified unhappily that we had no choice but to pass this and she would
44 have no further comments.
45
46 **Ed Earl:** Asked if this was a Large Scale Comp Plan Amendment why would it not
47 follow our ordinance and go to DRC and P&Z.
48

1 **Scott Gerken:** Replied that it had gone through our process and then additional changes
2 were made to bring it into compliance with state law.

3
4 **Ed Earl:** Upset that City staff again had not followed our own code and he would object
5 to this.

6
7 **Scott Gerken:** Clarified that our code did not address stipulated agreements and stated
8 again that this ordinance had gone through DRC, then P&Z, then to this council and to
9 the state and now it was before us to finalize.

10
11 **Ed Earl:** Stated we were skirting the issues again.

12
13 **Pam Wiggins (Green Consulting Group):** Clarified that this ordinance had met the City
14 Code by going through DRC, P&Z, and Council had already approved it but the state
15 required council approval again as per the stipulated agreement.

16
17 **Sue Cordova:** Asked if there were any changes made from the one the previously
18 approved.

19
20 **Scott Gerken:** Replied there was nothing substantively different from the Hills of
21 Minneola development agreement that you had.

22
23 *Mayor Yeager asked for audience comments; there were none.*

24
25 *No action taken, first reading.*

26
27 **DISCUSSION ITEMS**

28
29 **Tab # 13 – Approval of Purchase from Forfeiture Fund**

30
31 *A break was called at 8:57 p.m.; the meeting reconvened at 9:03 p.m.*

32
33 **Jan McDaniel:** Stated the Fire Department had requested to use a portion of the
34 Forfeiture Fund to purchase two bicycles.

35
36 **Sue Cordova:** Asked about the bikes that the Fire Department already had.

37
38 **Chief Dobrzykowski:** Replied that Paramedics had been trained on the bikes and they
39 were used reach anyone in need on the trails.

40
41 **Sue Cordova:** Noted for the record that the bikes were property of the City of Minneola
42 and not the Lake County Sheriff Departments and would like for the bikes to clearly say
43 City of Minneola with the logo on them after being painted. She also requested that usage
44 of the bikes stay within the City limits. Stated her agreement and that South Lake
45 Bicycles had been a good neighbor and would be happy to use them.

1 **Mayor Yeager:** Stated that we could do better with community policing and was
2 supportive of the use of bikes for us to be more accessible to the public.

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

5
6 **MOTION by Sue Cordova, SECONDED by Ed Earl to approve the purchase of two new**
7 **bikes with the understanding that the bikes are the property of the City of Minneola, they**
8 **will have the City name and logo and they are not to be used outside of the City without**
9 **council approval.**

10
11 **AYE:** Cordova, Yeager, Earl, Teri

12
13 **NAY:** None

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

16
17 **REPORTS:**

18
19 **Chief Dobrzykowski:** Stated they were working with vendors on the administrative
20 offices.

21
22 **Ed Earl:** Asked about the fire ordinance.

23
24 **Chief Dobrzykowski:** Answered that he would complete the administrative office and
25 the dock then he would finish the ordinance.

26
27 **Lt. Link:** Stated that we have had a rash of burglaries, both residential and vehicle. He
28 stated they had some leads and were hoping to have an arrest before the next council
29 meeting. He added that traffic stats will be down a little due to the concentration on the
30 burglaries.

31
32 **Sue Cordova:** Requested coverage in Country Ridge due to speeding.

33
34 **Mayor Yeager:** Thanked Lt. Link and asked about Chelsea Park and the problematic
35 area of Ridgecrest Loop.

36
37 **Lt. Link:** Responded that their issues had been addressed and suggested that the city
38 propose a mandatory 12 month lease for renters. He stated that Clermont had an
39 ordinance to this effect.

40
41 **Scott Gerken:** Stated that the Lowndes folks accepted the counter proposal for the
42 contract purposes. He stated they removed all references to the residential property from
43 the contract and were just coming through with the 60 acre commercial piece and should
44 be applying within the month.

1 **Ed Earl:** Inquired about the Reserve Agreement, the 30 day termination clause had not
2 been returned within the required time.

3
4 **Scott Gerken:** Answered that they had signed and returned it but that it had not been
5 signed properly with a notary and was returned to them to re-execute.

6
7 **Ed Earl:** Stated that this should be considered terminated. He also inquired about GWP.

8
9 **Scott Gerken:** Replied that we had their money and we received a bond and a progress
10 payment was sent. He added they will not get retainage payment until we get the other
11 issues resolved.

12
13 **Mayor Yeager:** Stated that the trash agreement was signed and it needed to come to
14 council for an amendment for the cans.

15
16 **Scott Gerken:** Stated it should be back on agenda next month to finalize.

17
18 **Sue Cordova:** Asked about the backflow lists and relayed that more than half of the list
19 did not have licenses. She requested that we do away with the lists altogether.

20
21 *Consensus was reached by all that there would be no more reference lists generated.*

22
23 **Sue Cordova:** Concerned about complaints regarding sound quality for our audience at
24 the council meetings.

25
26 **Ed Earl:** Stated we need more speakers to direct towards the front.

27
28 **Wally Szkwarko (802 Main Ave.):** Stated that tonight had been an improvement.

29
30 **Sue Cordova:** Stated she could not attend the water alliance meeting on March 6th from
31 5:30 to 6:30 and asked for a volunteer to take her spot. She also asked for information on
32 the US 27 pedestrian signals.

33
34 **Mayor Yeager:** Replied he could possibly cover for her and stated that they already ran
35 the lines and would request completion dates.

36
37 **Sue Cordova:** Stated that the intersection at Galena and the turn lane from Old Hwy 50
38 onto North Hwy 27 was worse than it was before the construction. She requested that Jan
39 set up a meeting with World Wide Cycle to request specifics for their event and request
40 reimbursement if public works were to be used to close roads.

41
42 **Ed Earl:** Complained that garbage cans were still being turned upside down. He
43 requested Council's consensus to consider changing our sign ordinance to allow Sign
44 Crafters to put up a billboard at the wastewater treatment facility.

45
46 *General discussion took place regarding the use of billboards.*

1 **Mayor Yeager:** Stated there was a conflict of interest because Carlos is a close personal
2 friend so he should not vote on this issue.

3
4 **Scott Gerken:** Clarified that the law requires everyone to vote unless they have a
5 pecuniary or financial gain from the situation and you would not be prohibited from a
6 vote just because someone may have contributed to your political campaign.

7
8 **Sue Cordova:** Inquired about disclosures that were required for conversations with
9 developers.

10
11 **Scott Gerken:** Clarified that those types of disclosures were required for quasi-judicial
12 matters for land development projects.

13
14 *Consensus was reached by Yeager, Earl and Teri to consider amending our sign
15 ordinance to allow for billboards. Cordova voted not to entertain the idea.*

16
17 **Ed Earl:** Discussed a letter received from DOT regarding the hump in the intersection of
18 Washington and Hwy 27. He requested that our engineer look at the roadway and
19 determine any issues.

20
21 **Sue Cordova:** Stated that on rainy days there has been no drainage down to Madison as
22 it should and agreed with Mr. Earl that there was an issue with the way the water was
23 draining there.

24
25 **Mayor Yeager:** Stated he would not want our money to go towards this and that any
26 complaints should go back to DOT, it was their issue to correct.

27
28 **Joseph Teri:** Requested that city staff go out and check for water flow issues and would
29 also like to request from DOT the report on the core section elevation profile that they
30 determined met tolerance.

31
32 **Mayor Yeager:** Stated our City staff does not have the knowledge for this.

33
34 *Consensus by Cordova, Yeager and Earl to have City engineer inspect the intersection
35 for water flow problems. Teri voted against using our engineer.*

36
37 **Ed Earl:** Stated he had reviewed concurrency and found 90.6 required us to regularly
38 monitor the cumulative effect of all approved development ordinances on the capacity of
39 public facilities commencing upon adoption and on each March thereafter so we are
40 required to have a concurrency report done every March. He requested this update be
41 complete.

42
43 *Consensus was reached by all to complete the report by the second meeting in March.*
44

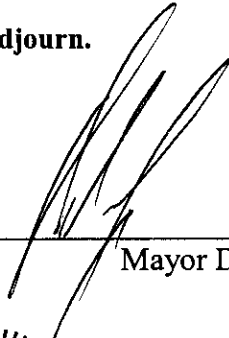
1 **Ed Earl:** Stated there was not consensus to gather bids on the pier and he would not vote
2 for it because we spent \$40,000 on the fencing for the cemetery. He asked for consensus
3 on the pier issue and asked for everyone to reconsider the fence for the cemetery.
4

5 **Joseph Teri:** Stated the recreation department needed some extra money for Splash Bash
6 and a request for money may be on the next agenda. He stated he had raised \$5,000 in a
7 match contribution if we can commit to \$5,000.
8

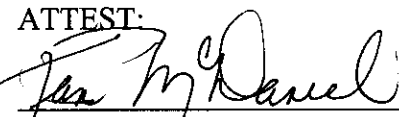
9 **Chief Dobrzykowski:** Relayed that Mr. Tyler, with the DOT, had not responded
10 regarding the activation of the flashing lights in front of the station. He added that they
11 had run the wires but DOT said it was Lake County and Lake County said it was DOT
12 that was responsible for activation of those lights.
13

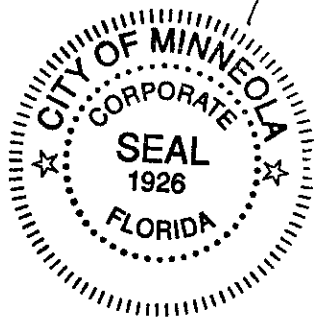
14 **MOTION by Ed Earl, SECONDED by Joseph Teri to adjourn.**

15
16 *The meeting adjourned at 10:01 p.m.*
17
18
19



Mayor David Yeager

21
22 ATTEST:
23 
24 _____
25 Jan McDaniel, CMC
26 mz
27



2/19/08

Exhibit A

City Council Briefing

February 19, 2008

Minneola Collector Road

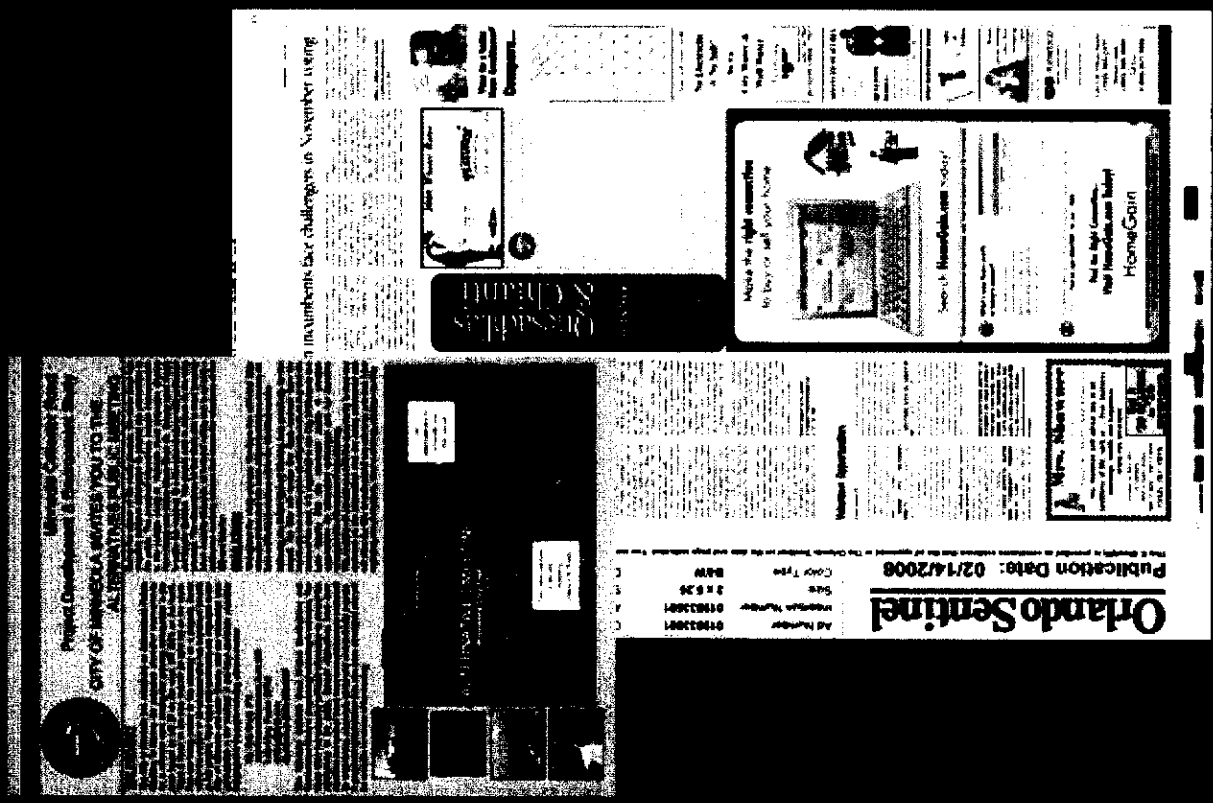
PROJECT DEVELOPMENT & ENVIRONMENT STUDY SERVICES



LAKE COUNTY
FLORIDA

HNTB

Alternatives Meeting



February 28, 2008

Open House – 6:00 p.m.

Presentation – 6:30 p.m.

Alternatives for review

Impacts of each identified

Newsletters and Agency Invites

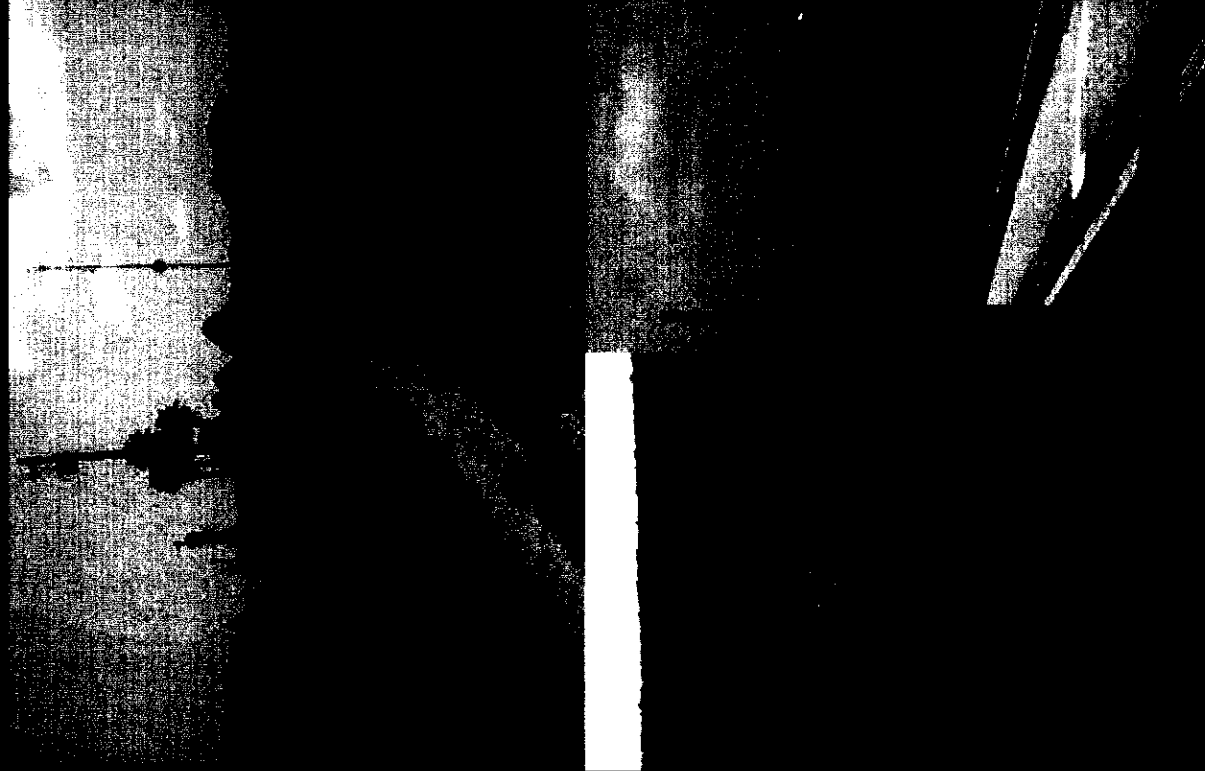
Mailed February 8, 2008

Orlando Sentinel - Lake
Advertisement

February 14, 2008

February 24, 2008

Purpose & Need



Growth in the Area
Capacity
Substandard Roadway
System
Turnpike Interchange
Community Cohesion
Safety
Connectivity of Trail
System
Coordination with
Surrounding Developers

Public Involvement Efforts

Website Development

www.myminneolaproject.com

Newsletters

Coordination

Turnpike

Founder's Ridge

Reserve at Minneola

Black West

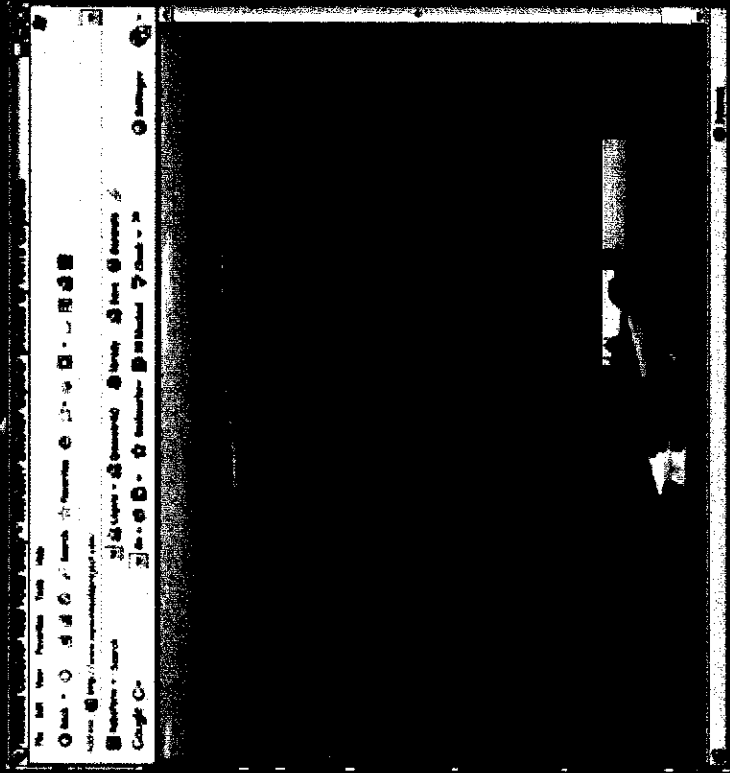
Big Sky

Bridger Estates

Hills of Minneola

Kick-off Public Meeting

Public Hearing



Kick-off Meeting Comments

- August 28, 2007

Protection of the Environment

Noise

Traffic

Safety

Limited existing right of way on
North Grassy Lake Road

Threatened and Endangered
Species

Connection to Hancock Road in
a residential area

Loss of property value

Developers bear cost of project

ALTERNATIVE ALIGNMENTS

Process requires that alternatives are selected and impacts of each are evaluated

How are the alternatives identified?

Needs and desires of the community

Traffic and safety requirements

Available right-of-way

Avoidance of sensitive lands

Typical Section designed to meet County Standards for this type of roadway

WHAT'S NEXT?

Alternatives Meeting (Feb. 28)
Further analysis of impacts and associated costs for alternatives
Selection of preliminary preferred alternative
Refinement of access management concepts
Public Hearing (May/June '08)

CONTACT INFORMATION

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Questions?



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