

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

**August 4, 2009**  
**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, Councilman Victor Ortega, Councilwoman Kelly  
7 Price, Vice Mayor Sue Cordova, Scott Gerken (City Attorney), Jan McDaniel (City  
8 Clerk), Sam Oppelaar (City Manager), Lt. Greg Link (LCSO), Jerry Rhoden (Minneola  
9 Fire Dept.), Laura Jones (Planning Director) and Tim Green (Green Consulting Group).

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

13  
14 **AGENDA REVIEW**

15  
16 **Mayor Yeager** announced Ordinance 2009-17 and Ordinance 2009-18 would be  
17 removed from the agenda due to advertising problems.

18  
19 **AUDIENCE TO BE HEARD**

20  
21 **Debbie Flinn** (Minneola Resident) requested speed bumps or tables to be placed on the  
22 roads by the Lakewood Ridge Park.

23  
24 Council directed the City Manager to work with the resident to make the area safer as  
25 well as other public area safety.

26  
27 **PROCLAMATION**

28  
29 **Mayor Yeager** read the City of Minneola 2009 Proclamation acknowledging  
30 Constitution Week.

31  
32 **REPORTS**

33  
34 **Sam Oppelaar** referred to his City Manager report (Exhibit A) and informed Council of  
35 the following:

- 36
- 37 • A transfer of funds to Lake County for Transportation Impact Fees.
  - 38 • Florida Retirement System has added a classification for elected officials and a  
39 Resolution to participate would need to be passed before the end of the year.
  - 40 • Asked for direction regarding ballot question regarding exclusive franchising of  
41 waste pickup services. *Council agreed to move forward with getting the question  
42 on the ballot.*
  - 42 • Reported the Minneola Athletic Complex was near completion and following the  
43 correction of a few problem areas, the complex would soon be deeded to the City.
  - 44 • Invited the Council to attend the September 18<sup>th</sup> South Lake Chamber Meeting  
45 which is being co-hosted by the City.
  - 46 • Informed Council that litigation regarding a former employee was still ongoing.

- 1       • Requested the Council to appoint one of the members to represent the City at the  
2       Lake County League of Cities monthly meetings. **Victor Ortega was appointed**  
3       **to serve for one year.**

4  
5 *Council comments regarding City Manager Report:*

- 6       • **Pat Kelley** expressed concern that the concession stand building might not meet  
7       all ADA requirements regarding second story access and congratulated Mr.  
8       Oppelaar on his recent concept of “Build Minneola.”
- 9       • **Victor Ortega** expressed support of the recommendations from Ken Small, and  
10      asked for clarification on financial transfers. *Mr. Oppelaar explained the transfers*  
11      *were being placed in the correct account.*
- 12      • **Kelly Price** had no comments.
- 13      • **Sue Cordova** requested that because some errors made by former employees,  
14      each department have an up to date policy and procedure guide to ensure such  
15      occurrences do not happen again. *Mr. Oppelaar stated each department does have*  
16      *a current Policy & Procedure Manual.*
- 17      • **Mayor Yeager** noted the Finance Director had found an error in funding transfers  
18      that Lake County had not been aware of.

19  
20 **Sam Oppelaar** also noted that a current wastewater master plan was also included in the  
21 back of his report for Council’s information.

22  
23 **Scott Gerken** stated:

- 24      • He had been contacted by Lake County’s Attorney requesting the City of  
25      Minneola host a meeting for area officials and staff on the subject of the sunshine  
26      law. **Council agreed to host the meeting, with the date to be determined.**
- 27      • The Lowndes Property LSCPA had been determined in compliance and Lowndes  
28      would now be turning the easement over to the City. He noted the City has two  
29      options, 1) to accept the easement at no cost, or 2) to purchase the property from  
30      the owner. **Council unanimously agreed to get the easement at no cost to the**  
31      **City.**
- 32      • Addressed the Florida Retirement System opportunity and asked for Council  
33      direction. **Council agreed for staff to look at the costs but only if it did not cost**  
34      **the City more.**
- 35      • Requested Council direction regarding a recent letter received regarding door-to-  
36      door soliciting and explained the code should be updated to include certain  
37      restrictions.

38  
39 Following a lengthy discussion, **Council determined that heavy restrictions must be**  
40 **included in the change and violations must be enforceable. They also agreed to allow**  
41 **the City Attorney to work through the current request including ensuring the proper**  
42 **permit is obtained.**

43  
44 **Lt. Link** requested Council approval to place a shed type structure on City property for  
45 the City’s motorcycle storage. **Council agreed.**

1 **Jerry Rhoden** informed Council that a monetary award had been received for  
2 commercial equipment assistance valued at \$20,000.00; and the department now had  
3 Ingle Coolers on the trucks for medications.

4  
5 Following a discussion regarding the Fire Department, ***Council directed the City***  
6 ***Manager to sell the third fire engine 871 and use those funds for other needed***  
7 ***equipment, such as a brush truck.***

8  
9 **Pat Kelley** had no report.

10  
11 **Victor Ortega** reported he had met with colleagues in Orange County and it had been  
12 very informative; informed Council he was working to develop youth programs; and  
13 asked for Council's permission for him to move forward with possibly bringing a road  
14 bike event to the City.

15  
16 ***Council consensus was to entertain the possibility of a road bike event.***

17  
18 **Kelly Price** had no report.

19  
20 **Sue Cordova** requested the rights-of-way along Hwy. 27 be properly maintained and to  
21 ensure the City of a quality appearance. She strongly supported the safety of the area  
22 parks and the installation of speed humps; and requested using the new Lake County  
23 Radio Station and website [www.lakecoradio.com](http://www.lakecoradio.com) to promote Minneola.

24  
25 **Mayor Yeager** commented that some business owners along Hwy. 27 were not aware of  
26 their responsibility to maintain the rights-of-way and encouraged getting information out  
27 regarding the owner's maintenance responsibility for their property; and encouraged the  
28 City to get back to work on the landscaping of the median and areas along Hw. 27 to  
29 make Minneola a defined City.

30  
31 **Pat Kelley** requested City of Minneola city limit signs be installed in the Sugarloaf area.

32  
33 A general discussion pursued with ***Council directing the City Manager, by consensus, to***  
34 ***obtain two City signs for the areas not currently designated as the City of Minneola but***  
35 ***actually are in the City.***

36  
37 **Consent Agenda Tab 2 Approval of the Minutes**

38  
39 **MOTION by Sue Cordova, SECONDED by Kelly Price to approve the Consent**  
40 **Agenda including all minutes as written.**

41  
42 **AYE:** Kelley, Ortega, Yeager, Price, Cordova

43  
44 **NAY:** None

45  
46 **MOTION PASSED: 5-0**

47  
48 **Mayor Yeager** called a break at 8:16 p.m. and reconvened at 8:24 p.m.

1 **Tab 3 Consideration of Car Lot - 202 S. US Hwy. 27**

2  
3 **Jan McDaniel** explained she had received a request from Mr. Russ Silverstein to allow  
4 him time to address Council regarding a proposed car lot on US. Hwy. 27.

5  
6 **Russ Silverstein** explained his request for a small used car lot on the property behind his  
7 current business. He stated he did not wish to spend money on the application process if  
8 Council was not willing to consider the request. He assured Council that he was aware of  
9 all the code requirements and would follow them explicitly.

10  
11 **Sue Cordova** stated she would consider it with stipulations such as the age of the  
12 vehicles and their monetary value.

13  
14 **Kelly Price** agreed with Ms. Cordova.

15  
16 **Victor Ortega** stated he would consider the request and thanked Mr. Silverstein for his  
17 recent cooperation regarding sign issues at his current business.

18  
19 **Pat Kelley** suggested working with staff to come up with a solution and suggested  
20 collectible/vintage cars such as a 1968 Mustang.

21  
22 **Mayor Yeager** cautioned Mr. Silverstein to follow the rules and to go through the  
23 application process.

24  
25 **Sam Oppelaar** asked Mr. Silverstein to work with staff and to move through the process.

26  
27 **Mr. Silverstein** replied he would submit his application tomorrow and assured Council  
28 he would follow all the rules.

29  
30 **Mayor Yeager** asked for public comments; there were no comments.

31  
32 **Scott Gerken** clarified that this request was a courtesy request and informed Mr.  
33 Silverstein that this approval tonight was not permission to move ahead with the used car  
34 lot at this time.

35  
36 **Mr. Silverstein** stated his goal was to be open before Christmas.

37  
38 **Tab 4 Delaney Property Proposal**

39  
40 **Sam Oppelaar** reminded Council of their previous consensus to make an offer to the  
41 bank for the property on E. Chester Street. He stated this item was for approval of a  
42 formal approval of that offer.

43  
44 **Christy Clark** (Real Estate Agent) explained the offer process in a short sale and  
45 bankruptcy sale of property.

46  
47 A general discussion pursued.

1 **Sam Oppelaar** requested Council consent to work with the bank with no need to bring  
2 back future formal proposals to Council and to allow him to inform Council of the price  
3 only and to get their approval of the amount. Council agreed.  
4

5 **Joseph Saunders** (Minneola resident) explained he had looked at the property and  
6 expressed support of the purchase for an area activity site.  
7

8 **Eric Gonzales** explained the history of the sale of the property and informed Council of  
9 the overgrowth problem of the property. He requested the City find a solution to getting  
10 the property properly maintained.  
11

12 **Sam Oppelaar** explained the difficulty the City encounters when trying to get property  
13 owners to maintain their property that was going into foreclosure. He also explained that  
14 undeveloped property is regulated by entirely different codes.  
15

16 **Rick Roderick** (Minneola Resident) urged the Council to make the formal offer.  
17

18 **MOTION by Sue Cordova, SECONDED by Kelly Price to approve the \$55,000.00**  
19 **proposal on the Chester Street property.**  
20

21 **AYE:** Kelley, Ortega, Yeager, Price, Cordova  
22

23 **NAY:** None  
24

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

27 **Tab 5 Ordinance 2009-15 Utility Service Recovery Fee**  
28

29 **Scott Gerken** read Ordinance 2009-15 by title only for the second time.  
30

31 **Sam Oppelaar** stated the requested changes had been made and explained the purpose of  
32 the Ordinance was to recover some of the costs for emergency repairs made by the City  
33 on private property.  
34

35 *Council comments:*

- 36 • **Pat Kelley** requested information regarding the charge be available for the  
37 citizens to make them aware. .
- 38 • **Victor Ortega** stated his support of the Ordinances and expressed concern for the  
39 City's liability. He suggested a type of waiver be signed by the resident.
- 40 • **Sue Cordova** requested the citizens be educated on the recovery charge and that  
41 they understand the City's repair work is temporary. She agreed with the idea of  
42 using a waiver for the residents to sign stating they understand the charge, and  
43 also suggested the public works worker's also understand the purpose of the  
44 charge.
- 45 • **Mayor Yeager** requested the hours of call out for City crew should be regulated  
46 to ensure the residents do not misuse the temporary fix made by the City.

1 **Eric Gonzales** (Minneola Resident) asked if the homeowner was responsible for any loss  
2 of water when the leak is not fixed and the owner was unaware.

3  
4 **Sam Oppelaar** urged residents to call the City if they are aware of a leak or see a leak  
5 not on their own property but informed Mr. Gonzales that the owner would be  
6 responsible for water that runs thru the meter.

7  
8 **Rick Roderick** (Minneola Resident) suggested more education for the residents to make  
9 them aware of their responsibilities.

10  
11 **MOTION by Kelly Price, SECONDED by Victor Ortega to pass Ordinance 2009-15**  
12 **Utility Service Recovery Fee.**

13  
14 **AYE:** Kelley, Ortega, Yeager, Price, Cordova

15  
16 **NAY:** None

17  
18 **MOTION PASSED: 5-0**

19  
20 **Tab 6 Removed at Agenda Review**

21  
22 **Tab 7 Removed at Agenda Review**

23  
24 **Tab 8 Resolution 2009-11 Budget Amendment**

25  
26 **Scott Gerken** read resolution 2009-11 by title only. He explained the resolution would  
27 correct a debt the city owes to the Mayor for back pay and allows for the transfer of the  
28 money.

29  
30 **Mayor Yeager** explained there are charities needing funds and he intended the money to  
31 be used for various charities.

32  
33 **Mayor Yeager** asked for public comments; there were no comments.

34  
35 **MOTION by Sue Cordova, SECONDED by Kelly Price to approve Resolution 2009-**  
36 **11.**

37  
38 **AYE:** Ortega, Yeager, Price, Cordova

39  
40 **NAY:** Kelley

41  
42 **MOTION PASSED: 4-1**

1 **FINAL COMMENTS**

- 2
- 3 • **Pat Kelley** had no comments.
  - 4 • **Victor Ortega** stated he was enjoying being on Council and that he would like to  
5 see the financial reports prior to the meetings. *Sam Oppelaar stated he would*  
6 *provide them when they were available.*
  - 7 • **Kelly Price** had no comments.
  - 8 • **Sue Cordova** stated that since the visioning session things have been running  
9 smoothly.
  - 10 • **Mayor Yeager** agreed that Council and staff were working very well together.

11 **MOTION by Sue Cordova, SECONDED by Kelly Price to adjourn.**

12 *The meeting adjourned at 9:14 p.m.*

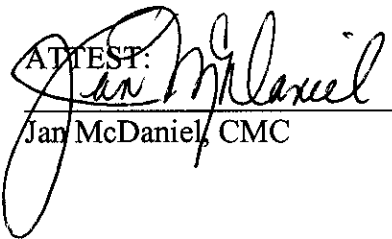
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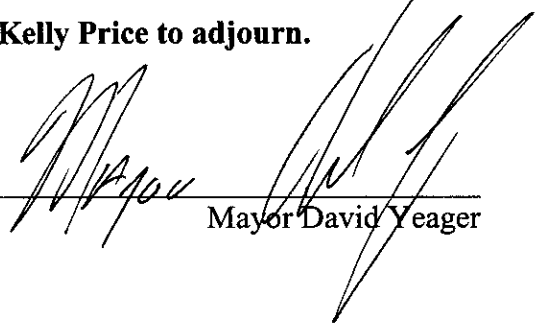
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16

17

18 ATTEST:   
19 Jan McDaniel, CMC  
20

  
\_\_\_\_\_  
Mayor David Yeager

